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national Index to Periodicals* and in *Public Affairs Information Service*.

In Re This Issue

PRACTICALLY everything we have in America has been imported from abroad, with a few notable exceptions such as tobacco, maize, and Tammany Hall. Even our own city manager form of government received some inspiration from German and British experience. It is, then, hardly necessary to urge the importance of American study of European institutions in the field of local government.

Perhaps the most lasting impression the casual reader of this issue of the NATIONAL MUNICIPAL REVIEW will carry away with him is the striking similarity between the problems of local government in the United States and in the other nations discussed. Whether we talk of finance, unemployment relief, public works, health, personnel, technique of administration, or what, we find, discounting only the differences of language and nomenclature, that in each country students of government and officials are pondering the same problems and in many instances independently discussing and applying the same solutions.

In the advancement of every science

and every art, much has been gained by interchange of information between those working on similar problems in different countries. The International Union of Local Authorities and the International Institute of Administrative Sciences, in coöperation with which this issue has been produced, represent a constructive endeavor to provide exchange of information concerning similar problems at the municipal governmental level.

The National Municipal League welcomes this opportunity, as it has many past opportunities, of coöperation with groups abroad to the end that progress in the field of public administration may be more rapid. Special acknowledgment for this issue of the REVIEW is due Dr. Rowland Egger, director of the Bureau of Public Administration at the University of Virginia, who, while secretary of the Joint Committee on Planning and Coöperation of the International Institute of Administrative Sciences and the International Union of Local Authorities, with offices in Brussels, carried the brunt of the work of editing.

The International Idea

AT NO time in the last eighteen years has the outlook for international political coöperation been less propitious. At no time in the last thirty years has international administrative and scientific coöperation been more active or more

sincere. And at no previous time in her entire history has the United States been more closely *en rapport* with this administrative and scientific coöperation. For this reason, the decision of the Editor of the REVIEW to publish, at the present

time, an issue on current developments in European local government was a particularly happy one.

The extent of American participation in "international organizations in the field of public administration" is much greater than the average administrator or citizen realizes. There is hardly a single important organization of the over two hundred international associations working in the field of public administration in which American ideology, American moral support, and American financial assistance is not virtually predominant. And it is not entirely to our credit that on the whole we have given of our money more freely than of our moral and intellectual support.

It is not accident or mere philanthropy that, with the exception of certain organizations at Geneva and The Hague, the United States is playing a rôle of the greatest importance in international coöperation. Throughout America there are men and women who see clearly that in spite of the great political, social, and economic differences between Europe and America, there are more common problems than problems that are not common to the two continents. This is particularly true in the field of local government. And it cannot be denied that, in this regard, European cities have, by virtue of the sooner maturity of urbanism on this continent, been forced to meet many problems which are only beginning to be recognized at the present time in America. It may be that the solutions attempted in many European countries are not in accord with the

spirit of our institutions, but thorough knowledge of the problems, of the attempted solutions, and of the results cannot but illuminate our own problems and guide us to a sound decision. From the standpoint of doing the best possible job for our own people, therefore, we are under an unmistakable obligation to participate actively and sincerely in the international movement for the better clearing of experiences and of the results of public administration research.

There is another reason. The fact that the international organizations are, in the face of truly enormous difficulties, still doing business as usual is in no small measure due to the dogged persistence of a few hundred people who compose their secretariats. These men and women are very liberally endowed with that infinite capacity for quiet desperation which is an indispensable part of the equipment of the professional internationalist in these troubled times. And the strategic character of their positions in the present crisis in international coöperation is of the greatest potentiality. It is not unthinkable that these associations, composed for the most part of the permanent officials of the public services whose influence on governmental policy is everywhere in the ascendancy, may have more to say that is ultimately important for the keeping of the peace than the political post mortem experts who, by definition, never come into action until all hope is lost.

ROWLAND EGGER

Brussels, Belgium

FORTY-SECOND Annual Conference on Government

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Planning and Cooperation Among International Organizations

A sound foundation has been laid for effective cooperation between international agencies interested in the better administration of local governments

LOUIS BROWNLOW

Chairman, Joint Committee on Planning and Coöperation

ON JULY 23-27, 1934, at the instance of the Public Administration Clearing House, a conference of thirty-seven persons, representing seventeen countries, met in Paris for the purpose of discussing ways and means for promoting greater effectiveness in the international clearance of information and of the results of research in public administration. Specifically, the conference set itself to the task of breaking ground in answering four major questions:

1. To what extent is international exchange of information and of the results of research in the field of public administration desirable, and to what extent is it practicable?

2. What are the existing facilities for effecting such exchange, in the light of what is desirable and practicable?

3. How may American organizations best coöperate with existing international organizations for clearance in their respective spheres of interest, for contributing more effectively to the common pools of information, and for drawing upon these pools more effectively to meet American needs?

4. What are the possibilities of co-ordinating research in public administration in the various countries on major subjects of common interest, in order that such research may yield data that are more nearly comparable and results that are of wider usefulness?

For five days this conference, comprising in its membership many of the

leading organization executives, public administrators, and researchers in public administration in America and Europe, hewed its way to the root problems of international clearance. During its sessions Chancellor Dollfuss of Austria was assassinated and the whole of Europe plunged into a grave international political crisis, but the conference continued calmly and equably to discuss methods of working toward more scientific administration, thus dramatically indicating the essential unity of the science and art of administration despite the widest and deepest differences in politics.

At the termination of its work, the conference found itself in agreement on three major propositions:

1. That it is possible, practicable, and desirable to continue and to expand the existing facilities for the international clearance of information concerning experience and the results of research in public administration with relation to administrative processes, despite the marked and increasing differences among national political systems;

2. That the rapidly changing relationships between central and local governments require at both levels of government such a great number of administrative adjustments that it now becomes highly desirable to effectuate closer coöperation and a greater degree of coördination of the efforts of central government and local

government administrators through their national and international organizations;

3. That it should be practicable to project research in different countries on topics of widespread interest in accordance with a general plan laid down in advance, and thus to increase the comparativeness of the results and greatly to enhance their value.

The conference was organized with the purpose of permitting free discussion, but its agenda did not require or suggest definite action. Notwithstanding this fact, toward the end of the conference the representatives of the International Institute of Administrative Sciences, an organization working mainly in the field of central government administration, and the International Union of Local Authorities, working in the field of local government administration, formally proposed that these two international agencies set up a Joint Committee which would, to the extent of its ability, further explore the problems which had been discussed at the conference and prepare a scheme of co-operation which might be submitted to the governing bodies of the two organizations on the occasion of their triennial congresses, meeting in the summer of 1936 at Warsaw and Berlin respectively. It is significant that both of these organizations have always had their headquarters in the same city, Brussels, but had not before considered the possibilities of mutual helpfulness.

Their proposal was accepted, and the following delegates of the organizations held an initial session in Brussels in September, 1934: for the International Institute of Administrative Sciences, Albert Devèze, Edmond Lesoir, Gascon y Marin, René Didisheim, Daniel Warnotte, Sir Henry Bunbury, Oscar Leimgruber, and Zoltan Magyary; for the International Union of Local Authorities, F. M. Wibaut, Emile Vinck, Léon Wouters, Henri Sellier, G. Montagu

Harris, and Kurt Jeserich. The writer, as a member both of the American section of the Institute and of the American committee for the Union, was appointed by the presidents of both organizations to the Joint Committee, and was asked to serve as chairman of the Committee.

It was subsequently decided that a liaison secretary of the Committee should be secured, in order that explorations could be completed in time for the submission of definite proposals to the governing bodies of the two organizations in the summer of 1936. In May 1935 Rowland Egger, an American, was sent to Brussels as liaison secretary.

PLAN OF ORGANIZATION

After over a year's intensive investigation and exploration along the lines laid down at the Paris conference, and in constant collaboration with the members of the Joint Committee, the executive sub-committee submitted a plan for the establishment of common services between the Union and the Institute, which involved a very considerable extension of coöperation and planning of activities in collaboration with the important technical and specialist organizations, to a session of the Joint Committee meeting in Berlin on June 5 and 6, last. This plan was, after strengthening in certain essential particulars, adopted by the Joint Committee and subsequently by the governing body of the International Union of Local Authorities and by the general assembly of the International Institute of Administrative Sciences. The leaders of the two organizations have announced that the common secretariat will be in full operation in October.

The plan provides for the establishment of a common secretariat for the two organizations with four divisions: research, information and communications, publications and publicity, and conferences and personal relations. The

common secretariat is to be under the active direction of the secretary general of the Union, the secretary general of the Institute, and the director of the Public Administration Clearing House. Its budget is to be formed by the amalgamation of the different sections of the budgets of the two organizations, which are being reorganized from the standpoint of form and method along identical lines. The personnel of the common secretariat will consist of the personnel of the two organizations, assigned to the several sections according to the common work program on which the budgets are based. In addition, it is proposed that a closer liaison with the national adherent organizations be maintained by having the stronger national organizations send collaborators, at their own expense, to the Brussels offices. It should be mentioned that in order to make the collaboration effective, the organizations are, of course, planning to move into common quarters within a short time after the final steps in the adoption of the plan.

DEPARTMENTS PROVIDED

The division of research, details of the setting up of which are the subject of a special exploration now under way on public administration research agencies in the United States, England, France, and Germany, will have functions of three sorts:

1. It will administer the bibliographical services of the two organizations;
2. It will execute such research projects as may be feasibly handled at Brussels;
3. It will develop coöperative relations with research organizations, universities and scholars in the several countries for the purpose of planning and functioning in a liaison capacity in securing comparative international research on important practical administrative problems.

The division of information and communications will be responsible for the handling of day-to-day inquiries and

requests for information, it will administer the secretarial services for all the divisions, it will administer the central files of the secretariat, and, most important, it will be charged with developing and maintaining contacts with the various specialist and technical organizations whose coöperation is considered useful in improving the quality of information provided by the common secretariat. In addition, it will seek to plan and promote more effective inter-organizational clearing and coöperation in matters of information and communication.

The division of publications will be charged with the direct administration of the separate and joint publications issued by the organizations. It will also be responsible for the promotion of coordinate publicational programs among the important general, technical, and specialist journals in the field of public administration. It will likewise be charged with the administration of a weekly press service in behalf of the Union and Institute, as well as of other organizations in the field of public administration desiring to coöperate.

The division of conference and personal relations will be charged with the tasks of assisting in the planning of the international congresses and conferences of the two organizations and in their administration, with the administration of small round tables, with the promotion of personal contacts, correspondence, international travel, and international exchange of public officials, professors, organization executives, students of public administration, etc.

During the past year the secretary of the Committee has prepared a directory of international organizations in the field of public administration. This directory lists and gives important details concerning over two hundred international organizations whose activities are

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The International Union of Local Authorities

Thirty national organizations of municipal officials have joined international group

EMILE VINCK

Secretary General, International Union of Local Authorities

THE International Union of Local Authorities is the creation of the international congress of towns convened in Ghent, Belgium, in 1913. This congress met at the instance of the Belgian Union of Communes and under the auspices of the Belgian national government. Twenty-one governments, 162 local authorities in twenty-eight countries, and fifty technical and specialist associations were represented at this meeting. At the end of the congress the proposal was made that the relations established should be preserved by the creation of a permanent secretariat, which should serve as a kind of clearing center on problems of local administration. The proposal was adopted and steps taken to effect permanent organization.

In 1914 the war interrupted the development of the new organism and ten years elapsed before conditions appeared sufficiently promising for its resurrection. However, in 1924 the second international congress of towns met in Amsterdam. Twenty-one nations were represented at this congress including, it should be noted, local officials and councillors from both central and allied governments. At this congress the organization work initiated by the Ghent congress was completed and the constitution and by-laws of the International Union of Local Authorities definitely adopted.

In 1925 a third congress was held in

Paris, at which 366 local authorities in 39 countries were represented by 772 delegates. Four important problems were treated at this conference. First, a thorough inventory of the organization and activities of the national unions of local authorities, of which the International Union is a federation, was made, and methods of rendering effective service at both national and international levels were discussed; second, a survey was made, on a comparative basis, of municipal organization and central-local relations in the several countries; third, the problem of public land ownership policy, a matter of great current interest for American planning, was made the subject of comprehensive reports and discussion; finally, this congress considered the problem of the great metropolitan areas, their legal basis, governmental structure, and special relation to the state. Three volumes of about eight hundred pages were published by the International Union in recording the work of this congress.

The years since 1925 mark the period of significant expansion. Between the Paris congress of 1925 and the Seville-Barcelona congress of 1929, thirty-two national unions had entered the federation, including the five newly constituted unions of local authorities in Germany. The fourth congress was composed of 622 delegates, representing 338 local authorities in forty-two countries. This

Congress made a searching investigation of the financial organization of local government in the several countries, and the general reports brought out the necessity of flexibility in local government resources and procedures under modern conditions. The congress considered also the public utility enterprises of local authorities, and the reports on this subject are particularly wealthy from the standpoint of statistical material. The third topic considered by the congress was the theory and practice of land condemnation for public purposes in the several countries.

THE LONDON MEETING

The fifth congress met in London in 1932. Twenty-eight governments, twenty-seven national unions of local authorities, 252 municipalities in forty-four countries, and about fifty organizations of municipal interest, sent a total of 924 delegates to this meeting. The London congress studied in detail the practical administration of local government in thirty-one countries, under the headings: elective bodies, executive bodies, relations between elective and executive bodies, the head of the authority, public officials, the referendum, financial procedure, state-local organization, supervising authorities, and relations between local authorities. A second important topic considered at the congress was that of recruitment and training of local government officers. Reports and discussion covered such matters as classification systems, pre- and post-entry training, examination procedures, probation, elasticity of service opportunities, and organization of training in schools and universities.

Before considering the recently concluded sixth international congress held at Berlin and Munich, three conferences which the Union has convened should be mentioned briefly. In 1927 a special

conference was held at Berne for the discussion of international standardization of road traffic signals and symbols. The report and recommendations of this conference were subsequently adopted by other international bodies dealing with road traffic problems and eventually by the League of Nations. In 1930 a conference on inter-municipal insurance against all risks, and upon public utility undertakings of mixed public and private financing was held at Antwerp and Liege. At Lyons, in 1934, a conference was held for further exploration and discussion of the local civil service discussions begun at London, particularly as regards the teaching of local government. Many prominent university professors coöperated in this conference, and a considerable stimulus to the teaching of municipal science is believed to have resulted. At this conference the question of refuse collection and disposal was also discussed from a technical point of view, and it has become clearly evident that the exchange of experience on this subject has been of much value to European cities.

The sixth international congress was decided, on the invitation of the Deutscher Städtetag at London in 1932, to be held in Germany. Two questions were put on the agenda. First, what part have the local authorities played in combating unemployment; second, what are local authorities doing in the way of cultural activities. It is unnecessary to emphasize the relation between these two questions. In 1932 the economic crisis had already reached alarming proportions, as a result of which many millions of people were unemployed. One of the important problems created by this unemployment was the use of the leisure of the unemployed, and consequently the cultural policies and activities of the local authorities became matters of great practical importance.

Comprehensive national reports from thirty of the major countries of Europe and America were received on these two questions. An experiment, involving the preparation of two entirely different types of general report on each question, produced extremely interesting results. Dr. Strölin, Lord Mayor of Stuttgart, and Dr. Fiehler, Lord Mayor of Munich, prepared detailed analytical studies of the national reports on the first and second questions, respectively. Professor John Hilton, of Cambridge University, and Dr. van Poelje, Director General of the Ministry of Education of The Netherlands, prepared synthetic general reports, which drew out the important administrative principles revealed in the reports on national practices in the field of unemployment relief and cultural activities, respectively. In this way, the discussion was kept to fundamentals, but on a practical and factual, rather than merely theoretical, basis. The general reports themselves occupy a formidable tome of some five hundred pages, and will be completed by the national reports and discussions. The congress did not, of course, settle the problems of the local authorities' tasks in the two activities discussed, but the practical administrator and the social scientist will both find a great deal that is of permanent constructive validity in the work of this congress.

FUTURE PLANS

Next year the International Union of Local Authorities and the International Institute of Administrative Sciences, which is an international association for the study of problems of central government administration, are invited to hold a joint conference in Paris during the exposition. This conference will probably take place during the first part of July. It is tentatively planned to consider the possibilities and methods of extending the principle of inter-organiza-

tional coöperation, which has been already carried to a fairly high point by the Institute and the Union and which is planned to be much further developed during the next few months, to the specialist and technical organizations in the field of public administration.

We have, in the preceding pages, given a short sketch of the work done by the Union through its congresses and conferences. This work is extremely important, and the results which have been produced by the exchanges which it has permitted are of proved practical importance. But the congresses and conferences are not the most important part of the work of the Union. The congresses and conferences meet for a week or so on an average of every two years. At Brussels, however, the permanent secretariat works six days a week and fifty weeks a year. The functioning of the central office involves the collection and classification, day by day, of information on all matters of possible interest to administrators and scholars in the field of local government. This collected information, which has been systematically built up over a considerable number of years, forms the first source of reference when inquiries are made into particular problems. This work involves not only the analysis of books and periodicals, but correspondence with administrators and specialists, conferences, and all of the myriads of other methods by which information is gathered. The investigations in which this material is used may proceed either from requests for information or from the initiative of the permanent secretariat itself in attempting to keep in step with current problems and developments in local administration.

The results of the investigations of the central office are, if of sufficiently general interest, and if within the financial resources of the Union, published in the two journals of the Union—the French edition, *L'Administration Locale*,

edited by Mr. Léon Wouters, and the English edition, *Local Government Administration*, edited by the president of the Union, Mr. G. Montagu Harris. Particular attention should be directed to the French edition. Each article in this review is printed as a separate document, and given a decimal classification and number. It may, upon its receipt by the municipality, be divided up, with appropriate documents going to the particular department or officer most directly concerned. The decimal number permits it to be filed either in the central municipal files or in the departmental files in its appropriate place from the standpoint of subject matter, and kept constantly available for ready reference by the person most likely to need recourse to it. The two journals are published quarterly. The last (May 1936) number of *L'Administration Locale* contained twelve documents treating of such varied topics as the public baths of Bordeaux and Budapest, private coöperation in public hospital services for orphan asylums, slum clearance, techniques in planning small houses, school medical services, etc. It also contained installment number fourteen of a very extended investigation which the staff of the Union has made into equipment for the collection and disposal of refuse, which resulted from the interest exhibited in the general topic at the Lyons conference of 1934.

JOINT ACTION

It is not necessary to speak here of the collaboration between the Union and the Institute, since Mr. Brownlow's article on the Joint Committee reveals how this coöperation originated and has developed. However, two phases of the joint action of the two organizations, not pertaining to the Joint Committee itself although resulting from its work, should be mentioned. The first is the series of round table conferences sponsored by the

two organizations. The first series is treating of problems of training public employees. The problem of post-entry training was discussed at Zürich in April of this year, at a conference attended by over thirty of the leading administrators, professors, and heads of organizations of governmental employees in Europe. The proceedings of this conference have been published as a joint report of the Union and the Institute. The problem of training and supervision during the intermediate period—probation, apprenticeship, internship, or, in French, "stage"—was discussed at Berlin. The problem of pre-entry training—of the work of the schools and universities—was discussed in Warsaw in July. The proceedings of the two latter conferences, which will complete the series on employee training, will be published during the summer. One other project for joint action has already been decided upon. The Institute and Union propose to establish a bibliographical service, in many respects similar to that issued by the Joint Reference Library of the Chicago group of organizations. However, in view of the initial difficulties of establishing international contact, it is planned to give a very brief digest of the essential type and content of the material contained in the bibliographical lists. For several years the Union published such a bibliographical service, the *Tablettes*, but these were discontinued for financial reasons during the depression. The revived service will cover the entire field of public administration, central and local, and will, at least at first, probably be issued monthly.

The Union has come a long way since its revival in 1924. It survived the difficulties of post-war adjustment and has come through the depression in comparatively good shape. Much remains to be done, which will demand the coöperation of municipal men of good will

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The International Institute of Adminis- trative Sciences

An organization de-
voting its efforts to
the development and
promotion of the
art and science of
public administration
throughout the world

EDMOND LESOIR

*Secretary General, International Institute of
Administrative Sciences*

THE International Institute of Administrative Sciences may be regarded as the outgrowth of an international congress held in Brussels in 1910, at the instance of several leading Belgian students and thinkers in the field of public administration. Notable among these were Baron Tibbaut, Mr. Cooreman, and Mr. Paul De Vuyst. With the objective of providing adequately for the organization of subsequent meetings, of maintaining the contacts established at the initial meeting, and of establishing machinery for the pursuance of the investigations of the congresses, a permanent commission was created.

The war interrupted the work of the permanent commission before plans for a subsequent congress could be concluded, and activities were suspended until 1923. In that year a congress met again in Brussels, which sought to take up the work dropped in 1914. This congress was concerned with the investigation of relations between local and central government in the several countries. It was also decided on this occasion to establish, at the earliest practicable date, an international review treating of administration from a scientific point of view.

Four years later the international congress met in Paris. The 1927 meeting was divided into five sections, as follows: local government; administrative units between central and local govern-

ment; central government administration, including the methods of organization of government departments, decentralization of central government services, administrative justice, and the influence of the corporative movement; the administration of international agencies; training for the public service; and the improvement of administrative techniques.

The next congress met at Madrid in 1930. It was divided into the five sections mentioned above, and a section on administrative bibliography. Eighteen national governments accredited official delegations to the Madrid congress, in ten of which national sections of the Institute were already in operation. At this congress it was decided, on the motion of Dr. Oscar Leimgruber, the vice-chancellor of the Swiss Confederation, to establish the International Institute of Administrative Sciences as a permanent body corporate, with its seat in Brussels. The Bureau of the Institute met in Brussels in October of 1931, under the presidency of Mr. Albert Devéze, Belgian Minister of State, and adopted the statutes of the new organism.

The tasks of the Institute, as defined in the statutes, are: (1) The promotion of the comparative investigation of experience in the several countries in the field of public administration; (2) the development of general principles from these comparative investigations and

their recommendation to the several governments; (3) the investigation of such other problems of administrative practice and administrative law as may be of assistance in the development of better public administration.

At the time of the establishment of the Institute, the Belgian government made a large appropriation to its central secretariat and, in addition, provided quarters for the Institute in Brussels.

The Vienna congress of 1933 counted official delegations from twenty-five governments, and twenty-seven national reports were received on the questions which it discussed. This conference was divided into three sections: administrative justice, status of civil servants, reorganization of public administrative agencies in the light of practical conditions.

THIS YEAR'S CONGRESS

By the time this issue of the REVIEW is published, the Warsaw congress will have been held. This congress will discuss the protection of the rights of the citizen in the exercise of administrative justice, rationalization in the public services and the control of the head of the government over the administration. Over thirty national reports have been prepared, and there is every promise of an entirely successful congress.

The Institute has also coöperated with the International Union of Local Authorities in the convening of round-table conferences. The first series of these small round-tables is dealing with the training of public employees. The reader is referred to the article of Senator Vinck for a further treatment of this phase of the activities of the Union and the Institute.

The congresses and conferences of the Institute have, in the past, constituted, with the publication of the *Revue Internationale des Sciences Administratives*, the most important activities of the

Institute. The *Revue* was founded in 1928, and has been issued quarterly since that date. Its usual length is about 180 pages. As a general rule the *Revue* contains three leading articles on various topics of important current interest in public administration, a comprehensive analytical section edited by Mr. Daniel Warnotte on the literature of public administration, a news section on the activities of the central office and of the national sections, and frequent series of specialized bibliographical lists on important questions. The June 1936 issue of the *Revue* contained, for example, a study of administrative statistics in the Irish Free State, administrative justice in Switzerland, and a summary of an important report made by the Polish Commission on the Reform of Public Administration on the internal organization of central government departments in Poland. The *Revue* prints its original articles in the language of their origin, if in French, English, German or Spanish—otherwise in French. All of the bibliographical and other sections of the journal are in French. In addition, the Institute has published, through its national sections, the national reports, general reports, and discussions of many of its congresses. It has likewise published as special brochures a number of the bibliographical compilations which have appeared originally in the *Revue*, covering such topics as planned economy, the reform of the state, and clearing and import limitations in international commerce. Finally, the Institute has published as separate monographs collections of articles originally appearing in the *Revue* on the organization of administrative statistics in the several countries. Volume I of this series has already appeared, and covers the organization of administrative statistics in eleven countries. Volume II will be presented in a short time.

The Institute and Union have coöp-

erated in publishing the proceedings of the Zürich conference on post-entry training, and will further coöperate in publishing the proceedings of the Berlin and Warsaw round-tables to which Senator Vinck makes reference, as well as of subsequent joint conferences. Mention should also be made of the plan to issue jointly with the Union a comprehensive bibliographical service which will list all of the articles, books, and pamphlets in the field of public administration as they appear, and will indicate in a very brief manner the type, content, and approach of the material listed.

Of interest to American readers is the agreement recently worked out with the British Institute of Public Administration, which provides for close editorial coöperation between the *Revue Internationale des Sciences Administratives* and *Public Administration*. It is hoped that in the future the International Institute will be able more effectively to reach the English-speaking public, particularly as regards news notes and records of important administrative happenings, through the journal of our British collaborators. Reciprocally, it is hoped that the Anglo-American point of view may be more faithfully presented as a result of this contact with the continental workers in the field of public administration.

It should be remembered that the national sections of the Institute are constantly engaged in the investigation of matters of important national concern, that they hold frequent national conferences and occasional regional international conferences, and that many of them, in their corporate capacities, are playing important rôles in governmental investigatory commissions, etc. This is particularly true in Belgium, Poland, Hungary, Roumania, Switzerland, Estonia, and Norway. In their individual

capacities, leaders of the national sections are everywhere prominent in the movement for more scientific public administration. In the United States, for example, the names of Louis Brownlow, Luther Gulick, Harold W. Dodds, Samuel C. May, Walter R. Sharp, John A. Fairlie, Guy Moffett, and Henry W. Toll signify the intellectual contribution which the leaders of the Institute are making in the various countries. In several countries the work of the national sections has led to the creation of national institutes of public administration, with large budgets and highly qualified personnel.

MEMBERSHIP OF INSTITUTE

The Institute is composed at the present time of national sections in twenty countries, and is supported in the main by the governments thereof. The United States has a national section, although its contribution is not sustained by the government. In addition, the Institute has two collective members in countries which have not yet undertaken the obligations of full membership. It is the hope of the Institute that its membership may, within the next few years, be extended to include not only the few large countries now outside but also several of the smaller countries whose experimental attitudes and high standards of administration are of much interest to all students of public affairs.

The Institute itself is entering upon adulthood as an international organization. As an infant, it was a periodical congress. As an adolescent, it was a congress and a review. As an adult it must address itself to the development and extension of its central services. All this implies more money and more manpower. The change will not be accomplished overnight, and the Institute still probably has in store a goodly number of growing pains. However, proposals

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Mainly About Words

A definition of the
terms frequently
used in discussions
of local government

JULES LESPES

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IT IS no easy task to extract from the welter of complicated terminology the exact content and significance of words relating to the organization and methods of local government. The enormous variation in meaning of "local" and "central" from one state to another, and from one function to another within the same state, presents an almost insuperable difficulty to scientific comparison of the larger concepts of local government. The vocabulary employed for the definition of detailed terms from which the larger concepts are built up is not always clear, and varies greatly from one decade to another.

None the less, much has been said and written about "local government," "self-government," "local autonomy," "home rule," and various other designations to some degree indicative of the relation between the state and the unit of local government, quite as though all of these terms were in all essentials equivalent.

The object of the present essay is not to settle finally the precise limits and relations of these various catch phrases, but to indicate something of their content and to point out the dangers of using such phrases as loosely as certain more or less reputable writers, politicians, and editors are using them at the present time.

The resistance of *homo sapiens* to changes in his ways of speaking and writing, at least about serious mat-

ters, is fairly well known. In consequence, it is not unusual to find fundamentally new phenomena and concepts incorporated by brute force and sheer awkwardness into familiar phrases not at all suited to the conveyance of their meanings, and whose sole recommendation is their common-placeness. Of course, even the best intentioned must, to some degree, be affected by these facts. But if one does not deceive oneself, and if one seeks to preserve, as best one may, the relations between the words and the facts, it may be possible to point out certain essentials of similarity and difference in the very broad phrases which are now giving rise to a good deal of difficulty.

1. *Local Government.* The social fact which corresponds in a general way to the juridical institution known as "local government" involves the existence, within the general framework of the "public interest," of regional and local interests, which are in certain essential respects different from the general public interest. Communities of men, occupying portions of the earth's surface of varying dimensions, but always small in relation to the total area of the state, and engaged in diverse economic activities, are not merely so many of the aggregate body politic. The conditions of their existence produce certain special interests, in addition to those of the general interests of the state. Organiza-

tion and collective authority must be provided for the satisfaction of these regional and local interests.

It is important at this point not to confuse the organizational aspects of local government with the existence of local government itself. Questions of democracy, whether direct or representative, dictatorship, totalitarianism, etc., have nothing to do with the existence of local government.

On the other hand, if we wish to speak of municipal autonomy, at least five conditions must be present: (a) There must be a recognition of local interests specifically different from those interests in behalf of which the state acts; (b) Organization must be provided for ministering to these local interests; (c) There must be an independent power of decision in the local authority; (d) The functional jurisdiction must be liberally defined. In this last sense, the systems of strictly prescribed powers granted by legislative bodies and legislative restrictions on the power of taxation prevailing in many parts of the Anglo-Saxon world do not satisfy the definition of municipal autonomy. We will return to this point later. (e) There must be a certain participation, under whatever juridical form or practice, of the citizens in local government.

Peculiarly enough, all of these conditions are met by the existing system of German local government, despite the fact that Germany has completely repudiated the philosophy of political democracy in the organization of local government.

Moreover, although this relates to matters of which we shall subsequently speak, municipal authorities are charged with the administration of certain functions of the state.

For this reason, it seems advisable, in speaking of the jurisdiction of local

authority itself, to use the term "local government," rather than "local administration." "Local government," in our opinion, better expresses the idea of autonomy and of liberally defined local jurisdiction.

2. *Administrative Deconcentration and Administrative Decentralization.*

There are some functions appurtenant to the state which cannot be effectively exercised by the state without localized machinery. This machinery may consist of state officials; it may also be the machinery established for the administration of local affairs. Under such circumstances, there may be said to exist administrative deconcentration in regard to state functions but not administrative decentralization. Administrative decentralization, as regards state functions, ensues only when there is autonomy in the local authority in the mode and manner of administration of state functions occasioned by the differences between localities themselves.

Here we encounter immediately one of the fundamental differences in Continental and Anglo-Saxon thinking on local government. In Continental jurisprudence local government is regarded merely as a species of administrative decentralization. This is true not only in jurisprudence but in administrative practice. Now, while many British and American courts have bravely referred to the municipality as the "mere creature of the state", this idea has never been incorporated in what may be called the sociology of local government. Certainly in some of the home rule states it is hard to see how an instrumentality deriving its authority from the state constitution—from the same source from which the power of the state itself is derived—may be referred to as a "mere creature of the state." In some American states the local authorities, whatever else they may be, are not mere

creatures of the state *government*. And if we attempt to bolster the judicial dogma in these instances with the philosophical idea of the state itself as distinct from its government, the whole problem becomes merely metaphysical and absurd.

However, it may be of some use to point out that in Continental thinking we may consider administrative deconcentration and administrative decentralization as frequently existing side by side in local government, if we regard local government itself as one aspect of administrative decentralization. In the Anglo-Saxon countries, it would perhaps be more accurate to speak of administrative deconcentration, administrative decentralization, and local government existing side by side in the local authority. The actual functional allocation may be about the same, and the relations between the central and local authorities may be about the same in both systems, but there is a vast difference in the way of thinking about them. This is true even in those parts of the Anglo-Saxon world most completely at the mercy of "legislative leading strings."

3. *State-Local Relations*. The existence of distinct local interests, apart from the general interest, engenders the necessity of harmonizing the two orders. Normally, this is the duty of the state and it is usually accomplished in two ways:

(a) The local authorities are created as agencies of enumerated and limited powers in accordance with legislative prescriptions. Within the terms of the enumeration, it may be argued that there is local autonomy, but autonomy is obviously used in an entirely different sense from that in which it is used in, for example, Germany. The defects of this method, under whatever guise it is concealed, are well known. Mr. Sellier, in the present issue of this REVIEW, speaks of its deadening effect on French municip-

pal life. American writers of municipal government textbooks inevitably reach their high point of anathema on this subject. Only in England, where these matters were settled once and for all in 1888, is the system of parliamentary meddling regarded as a normal, permanent, and even desirable feature of local government.

(b) The local authorities are granted a liberal and largely self-determined functional jurisdiction, but administrative controls are established for assuring that local action shall not conflict with the general laws and regulations of the state, or with the general interest which it is the task of the state to further. Here, too, fundamentally different conceptions of administrative control appear. In France, Belgium, Holland, Scandinavia, and to a considerable degree still in Germany, administrative supervision is greatly facilitated by the use of the departments and provinces in the control of local authorities. The substance of supervision is much the same as elsewhere, but it is supervision "on the ground" so to speak. Too, prefects and governors are also responsible for the administration of regional functions; they are not swivel-chair experts at supervising only. In England administrative supervision means supervision by Whitehall. In Indiana, it means supervision from Indianapolis. It is difficult accurately to estimate the effectiveness of alien control, even though reinforced by elaborate inspection and visiting, as against supervision by the prefect or the governor, who may represent the central government but who still lives where his decisions are put into effect. It is undoubtedly true, however, that the attitude of administrators and of the public is vastly different under the two circumstances of control, and that administrative supervision means one thing to a Belgian and something else altogether to an Englishman.

4. *General and Special Local Organization.* Regional and local organization is said to be general when the basic juridic structure is uniform for all local organisms. This is the virtually invariable system in Europe, although many large cities have special organic laws. The special charter systems of some American states and the optional charter system are practically inconceivable to the European. Here it must be remembered that we speak of *organization*. Special legislation, private bills, etc., regarding municipal *powers and functions* are still a familiar part of the European scene. And, whatever may be said for special and optional organic laws from the point of view of adapting government to actual conditions in America, they would, and rightly, be unhesitatingly condemned as regards application to European problems and peoples.

5. *Self-Government.* In discussing self-government, one must penetrate immediately into problems of local government organization. We have indicated above the distinction which it is necessary to draw between local autonomy and self-government. The expression "self government", which is a product of the English political vocabulary of the eighteenth century, signifies essentially a form of government opposed to absolute monarchy. It was, in its historical context, applied not only to local organization, but to the constitution and the entire administration of the state. It has, over the years, become ideologically identified with simon-pure representative democracy.

The two constituent elements of English administration, central and local, are administered on the self-government principle, which implies that the affairs of government and administration are confined to ordinary citizens, without professional, political or administrative qualifications. Of course, the sort of local government originally organized

and operated on the self-government principle was extremely simple and possessed of few functions. Most of the extension of municipal powers has been built up on the basis of private bills, and this is the typical mode of development at the present time. Within the limits of the legislation in force, the local authorities are theoretically free. Actually, the considerable financial dependence of the local authorities on the central exchequer has resulted in an extension of central powers which has reduced the substantive self-determination of the typical English municipality to a mere myth.

Of late, the self-government principle itself has become noticeably diluted. The increasing complexity of administrative techniques has shifted more and more real power to the professional municipal employees. There is no indication that the end is yet in sight. The relation of the technical officer to his committee continues to be a nebulous sort of trial marriage, in which the technician is sometimes compelled to decide policies and frequently to tolerate much amateurish interference in technical administrative affairs. The consensus of opinion, however, seems to indicate that there is a tendency to leave the technician free in technical matters, while the committee devotes itself to policy. However, since policy is almost completely predetermined at Whitehall, the councillor's life is actually becoming simpler and simpler.

Belgian organization provides an example of communal autonomy, in the sense that the local authorities have very broad functional jurisdiction, combined with a certain amount of self-government, moderated by administrative supervision. The municipal and provincial councils are elected, as are also the aldermen. These elective bodies regulate all matters of local government in the municipalities and provinces respective-

ly. The burgomaster and the governor of the province are named by the King, the former in principle from among the municipal council. Communal autonomy is moderated by the responsibility of the burgomaster to the central government, and by the power of the provincial governor to approve or veto certain acts deemed contrary to general laws and regulations or to the general interest.

6. *Home Rule.* The idea of home rule is clearly much larger than that of local autonomy, since it implies not only a very broad range of local government powers but also the right of the locality to determine its own organization. It has nothing to do with self-government, properly understood. Indeed, the American home rule states are among the leading city manager states, and the city manager plan is the twentieth century's repudiation of eighteenth century thinking in local government organization.

There is no point in discussing American home rule in the journal of the

National Municipal League from the substantive point of view. Some years ago the present writer spent a good many months in the United States writing a book on American local government.¹ He was convinced at the time, and remains of the opinion, that home rule could happen only in America. In fact, there seem already to be indications that the philosophy of home rule, which was probably far more widespread and possibly of greater practical importance than the juridical institution itself, is being gradually superseded by conceptions of central and local government relations considerably more in keeping with the demands which are being made upon the public authorities in recent years. It is enough for the purposes of this paper, however, to say that home rule is definitely not the same thing as "local government," "local autonomy," or "self government." There is a Tolstoyan quality about the concept which defeats the European observer, no matter how hard he tries to understand.

THE INTERNATIONAL INSTITUTE

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will be submitted to the Warsaw congress which will enable the Institute to go forward in the direction which is clearly indicated if it is to fulfil its purpose.¹ It is reasonable to hope that the next six months will see an extension of central secretariat and activities which will be adequate, at least for the time being, to the preparation for a larger rôle in international affairs.

The Institute is indebted to its Amer-

ican members for many things. By no means the least important of their contributions has been the fostering of the idea of inter-organizational coöperation in the advancement of the art and science of public administration. Particularly to Mr. Louis Brownlow, who has given unsparingly of his efforts in the development of sound plans and techniques of coöperation between the international organizations, is homage due. The sincere wish of the Institute is to work in the spirit of coöperation and mutual assistance which is fundamental to real progress toward the goal it has set for itself.

¹Since this article was written the Warsaw congress met and adopted *in toto* the proposals of the central office and of the Joint Committee for the expansion of the resources and activities of the Institute, as well as the program of inter-organizational coöperation.

¹*Le Gouvernement Local aux Etats-Unis* (1930). Pp. 213. Union Internationale des Villes, 3bis, rue de la Régence, Brussels.

Recent Developments in English Local Government

Social services, re-districting of local government areas, and taxation among the important problems dealt with in Great Britain

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THE local government act of 1929 was a high water mark in English local government, since it dealt with some very important and long standing problems—problems of area, the break-up of the poor law, and the combined de-rating of certain kinds of property and the institution of grants-in-aid based on a formula measuring need. Since 1929 the lines of development have been (1) the progressive realization of the policy of the act, (2) certain supplements to it arising out of the impetus of the Royal Commission inquiries which led up to it, and (3) the development with more width and speed of social services like town planning, housing, and education. Concern for the “derelict” areas and various minor administrative improvements we have not space for here.

It was hoped that the urban and rural districts would be so remodeled in their boundaries as to make them larger and more capable in area, population, and wealth. Several years of obstinate struggle between the counties, which are responsible for the production of the schemes, the districts which are parties thereto, and the Ministry of Health which is the final authority in the matter, and much litigation, have had a much smaller effect than was planned. In 1926 there were 784 urban districts, today there are just under seven hundred, not a very large reform after so long an inquiry. Even the apparent improve-

ment must be discounted, for in the same interval the number of municipal boroughs (which are created out of urban districts) has risen from 256 to 278. The rural districts have declined from 646 to 528, a substantial improvement in authorities which, from the standpoint of public health administration preventively conceived, badly needed reform. Owing to irrational resistance, and to the fear that a reformation of the area would mean higher rates for someone, the districts have been able substantially to frustrate the intentions of the legislator. Yet there is some slight improvement in the direction of less inequality in ratable values, and a slightly higher proportion of full-time medical officers of health. There has been a great outburst of enthusiasm for the acquisition of the status of municipal boroughs. This is partly due to snobbery (there is more pomp and circumstance about a borough), and partly explicable, around London especially, by the wish of local authorities to avoid annexation, or, in the course of time when their population arrives at 75,000 (according to the county boroughs act, 1926), to become county boroughs and so independent authorities entirely exempt from the intrusion of the county council. The act of 1926 has, by putting up the population limit, effectively stopped the creation of county boroughs, to the advantage of the counties which did not

want the urban areas to cease being members of their jurisdiction, but not to the advantage of anybody else, whether the boroughs or the country in general.

DISTRIBUTION OF FUNDS

The enlargement of the areas, together with the establishment of a block grant, were designed to reduce the inequality of wealth among the local authorities. It will be remembered that about £45,000,000 were made distributable among the local authorities according to their population, weighted by the number of children under five, the number of unemployed, the ratable value, and in the case of the counties, the sparsity of their population. Now these weights were to be operative only in the distribution between the county boroughs and the counties. The counties then had to pass some of their receipts on to the urban and rural districts within their area—a given amount went to the former and a given amount, one-fifth of the former, went to the latter. This has been the weakest factor in the formula. It does not matter how rich or how poor a district is, the grant varies only with its population. Nor is this all. The act which designed the formula also derated industrial hereditaments and freight-transport property to the extent of three-quarters of their ratable value, and agricultural land altogether.

It was suggested by the local authorities that they ought to be indemnified from the block grant at least to the extent of their losses by this derating, individually. This view was not taken by the central government, with the result that some industrially located authorities who can very ill afford it, get no appreciable offset from their share of the block grant, and have had to raise their rates considerably on the property which is not derated—that is, residen-

tial, office, and shop property—and this has made the permanent inequities of the English rating system harsher than before 1929.

Another unforeseen development has occurred. Since the weight for the ratable value depends upon how much less than £10 per head an area has, some areas have been tempted to rate themselves low. At any rate, there is serious complaint among the informed and interested that the Central Valuation Committee of the Ministry of Health, set up as a result of the rating and valuation act of 1925, has not been able to achieve the amount of uniformity in valuation practice and principle that should have followed from their many recommendations. There is also much complaint that when the grant is recalculated in periods of three, then four, and thereafter five years, conditions change so much that there are considerable fluctuations in the grant. It's all very upsetting to those local authorities who receive less! Finally, the Association of Municipal Associations has recently complained against the system of derating on the ground that the judicial interpretation of "industrial" hereditaments has extended the term far beyond expectation (why should breweries be included?), that with the return of prosperity the reason for derating has gone, and that local rates are not an undue burden on industry. The problem of the "derelict" areas has not been met in any important fashion by the block grant. Extra *ad hoc* grants have been made, and large schemes for amalgamating local authorities in the distressed areas are under consideration. The whole problem of the block grant system is now under review.

The counties and the county boroughs undertook an enormous responsibility and a burden of tough administrative problems when they were charged with

the relief of the destitute previously carried out by over 640 Boards of Guardians. Their main problems fell into two categories, to decentralize from the county's Public Assistance Committee to a number of guardians committees, and to distribute the destitute among the various special services of the council, whether county or county boroughs, so that each specific cause of destitution should be dealt with by the appropriate service already in being for the general population and not merely for the destitute. The large majority solved the first problem by Public Assistance Committees with coöpted members. Some charged their Public Health Committee with the public assistance work. A few kept the administration in the hands of the council as a whole. It is impossible within a reasonable space to provide a picture of the extent of discretion left to the local guardians committees, but broadly they were entrusted with the administration of outdoor relief, the assessment of repayments, and the management of institutions under the general principles laid down by the county or county borough council, and in coöperation with the professional officials in the usual democratic way. They could not, of course, raise rates or loans, and the officials were the officials of the authority.

It is too early to say what value the various differentia in the schemes of administration reveal. The second category of problems is being gradually solved also—the destitute are being distributed to the committees which operate under the public health, the mental deficiency, the maternity and child welfare, the blind persons, the tuberculosis, and the education acts. And the various general institutions, the workhouses and the infirmaries, are gradually being replaced by specialized institutions. The cost of adaptation and re-

building is high, and therefore the development is slow. It is noteworthy that the London County Council and the Middlesex County Council have both given up their former scheme of decentralization to guardians committees in regard to the calculation of relief and the assessment of recipients and their relatives for repayment. In the London County Council there are to be local committees to which the officers will refer cases of special difficulty; in the Middlesex County Council special cases will go to a subcommittee of the central Public Assistance Committee. Hitherto, the committees have had far too large a quantity of work, and far too little real discretion.

GRANTS IN AID

The conversion of the individual percentage grants-in-aid of the various public health activities of the local authorities by the act of 1929 into a block grant-in-aid of the services of the authorities in general, was accompanied by the far-reaching principle that if the Ministry were dissatisfied with the standard of any of the health services it might withdraw a part or the whole of the grant. It was also declared that the Ministry wished to concern itself less in the future than in the past with the details of their administration (a consequence of percentage grants) in order to give the local authorities greater freedom. The result has been a discontinuance of the detailed routine inspection of the several services by specialist health inspectors. Instead, periodical *general* surveys of all the local public health services of each local authority have been inaugurated, beginning in 1930. The work of this first set of surveys is of cardinal importance, because for the first time the Ministry's inspectors are investigating a more comprehensive range of institutions and functions than ever before; the counties and

the county boroughs are now authorities over all the public health services including the poor law institutions; slum clearance and re-housing are more developed than ever before; and the standard of the services including that of the provision of hospitals and coöperation with voluntary hospitals is higher than ever before.

PUBLIC PERSONNEL

The outstanding event of 1934 was the publication of the Report of the Committee on the Qualifications and Recruitment of Local Officials. Many recommendations of fundamental importance were made, but the principal ones upon which, indeed, the efficacy of most of the others depended, were those requiring the establishment of a nationwide Central Advisory Committee. This was to be composed of representatives of the associations of the local authorities and the London County Council and the Ministry of Health. It was suggested that it would be advisable for it to contain representatives of local government officers and educational bodies. As a matter of fact, had central advisory bodies of this kind been set up by the local government associations for themselves for many other purposes, the state would not have had to intervene as it has done to control the local authorities by statutory and administrative means. Once again the local government associations, shortsightedly pursuing what they consider to be their best interests in preserving their local independence, have left the way open for the intervention, at some time or another, of the state. They have brusquely refused to accept the recommendation of the committee on which they themselves were represented. Other recommendations, however, like the wide notification of vacancies, appointment by committees and not by officers etc. are being put into operation. Not

much attention is being paid to the recommendation to employ university graduates.

Another supplemental development is the codification of the laws on local government. As is well known, the laws were made in such irregular spates during the nineteenth and twentieth centuries that there were many anomalies and some omissions. Two consolidation committee reports have dealt with this matter. One gave rise to the local government act of 1933 which generalized the power of local authorities to acquire land in advance of requirements, redefined the disqualifications for membership in local authorities by reason of pecuniary interest, made uniform the power to appoint committees, and the central sanctioning of local by-laws, and gave power to town councils to adopt central audit or employ professional auditors. Several authorities have already adopted these latter powers. In 1936 a second report was published recommending many minor acts of tidiness. In 1930 the poor law act codified the poor law.

In the development of the social services three movements must be chronicled: the housing act of 1935 and the town and country planning act of 1932, the transfer of the able-bodied unemployed from the poor law authorities to the care of the central government, and, finally, the education act of 1936. The chief object of the housing act is to achieve the standard of a separate dwelling for each family without overcrowding. To this end a definition has been provided in terms of separate sleeping accommodation for persons over ten years of age of different sex not being husband and wife, and in relation to the number and the floor area of rooms per house. Both landlord and tenant are punishable for violations of the standards. It is the duty of the local authorities to

survey their area and report to the Minister of Health the extent of overcrowding and the number of houses required to abate it, and to prepare plans to meet the requirements. There is envisaged extensive rehousing and redevelopment schemes, the establishment by the local authorities at their discretion of housing management commissions to manage, regulate, control, repair, and maintain the authority's houses. The exchequer offers substantial subsidies in order to make the rents to urban and rural workers come within their means. This arrangement is the indispensable condition of any really sincere endeavour to cope with the housing problem.

RENTAL REBATES

The Leeds Corporation had already experimented with the system of differential rents according to the means of the tenants by power under the housing act of 1930. The local authority is now granted a very wide discretion in the giving of rebates on rent. All this, of course, is in addition to the hitherto existing powers and duties of the local authorities to secure the demolition or repair of individual houses, the improvement of groups of houses within an area not wholly condemnable, and the clearance of slum areas. The housing act of 1930 codified and extended the ample powers previously existing, but the act of 1935 goes much further. Yet it will be dependent on the enthusiasm and energies of the local authorities and the Ministry of Health how speedily the worst evils are removed. The vital advance is the numerical standard of overcrowding, for hitherto there has been an injuriously wide diversity of judgment regarding what constitutes a slum. The alternative policies of blocks of flats in the center of the town or smaller properties on the outskirts, with the attendant problems of zoning and transport, are still in a fluid state. To advise the min-

ister on matters arising out of the act, and to advise housing management commissions, the minister has appointed a central housing advisory committee of twenty-five expert and interested persons. This is one more example of a noteworthy tendency in administration.

The town and country planning act of 1932 codified existing powers and made extensions. This act has given the dynamic lead to the central authority, for while, hitherto, it has been the duty of the local authorities to submit plans within a given time to the central authority, this compulsion has been abolished and instead the central authority has the power to require the preparation of a scheme and to execute in default of a local authority. The schemes relate to any land whether there are or are not buildings thereon, and the purpose of the planning is sanitary, or for amenity or convenience, or for preserving historic and beautiful buildings and places. It is perhaps symptomatic of the increased responsibility of the center that the town planning department is housed separately from the Ministry of Health.

UNEMPLOYMENT

The stiffest problem in poor relief administration, whether from the standpoint of the localization of financial burdens or from that of the administration of the amount and the kind of relief, has almost always been that of the able-bodied unemployed. And in a time of catastrophic unemployment the problem became insoluble by the method of local poor law administration. The unemployment act of 1934 embodied the principle that the central government should accept responsibility, administrative and financial, for assisting the able-bodied. This would operate beyond the payment of the insurance which the unemployment insurance system takes care of, and assist those who had exhausted

the benefits of insurance or did not come under them out of the care of the county and county borough poor law arrangements. The scheme is administered by an autonomous central Unemployment Assistance Board of paid members, and advised by local advisory committees. The Minister of Labor takes responsibility for the regulations under which the relief is administered—regulations made by the board. The assessment of need is through the Labor Exchange officials. The machinery is in being, but the new standards are inoperative because the first issue of standards was so rigid that there was dissatisfaction to the point of riots in various parts of the country. Over a year has gone by in the attempt to discover a centrally-founded standard with suffi-

cient local flexibility. It is, once more, on the point of being issued. An interesting development under the act is the duty imposed on all local education authorities to provide, with a central subsidy, compulsory juvenile instruction centers. The minister and the board have power to make adult attendance at instruction a condition of assistance.

This account of local government development is at once crowded and incomplete. It has been impossible to do more than pick out the main events, and then only to suggest their principal importance. There are many problems still in the state of fermentation which merit discussion—scores of problems—and perhaps I shall be allowed to come back to them on another occasion.

THE INTERNATIONAL UNION

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throughout the world. Thirty national unions of local authorities now compose the Union, including the federation of state leagues of municipalities in the United States, the American Municipal Association. Some large nations remain outside. Some small nations, the accomplishments of whose central and local governments in the field of public administration make them of the greatest interest, remain unaffiliated. It is our sincere hope that the near future will see the extension of our membership to all those countries genuinely interested in the development of the best possible public administration in behalf of the welfare of their peoples.

Meanwhile, the direction of the Union's development seems fairly clear. The struggle for mere survival has, we

believe, come to an end. The future lies in the direction of broadening the horizons of those who administer and those who study administration, including those of the Union itself. We are convinced that the key to the future success of this organization, and of its kindred international associations in the field of public administration, lies in planning, in coöperation, and in mutual assistance in our efforts toward our common objectives. By accepting the complete implications of its responsibility in promoting and planning the fullest international intercourse on administrative problems, the Union hopes not only to contribute to the development of the art and science of public administration, but perhaps also to further international friendship and understanding in a world growing further apart politically with the passing of each day.

The Outlook for Local Government in France

French municipalities struggle between national centralization and local self-government

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IN ALL the countries of Europe the conditions arising from the War, the financial obligations which have been imposed on the urban centers, and the social policies which have been adopted by the national governments have forced a drastic change, none the less effective for not being in many cases the result of statutory changes, in the relations between the central authority and the local governments. France has not escaped the impact of these conditions. If no modifications have been made in the regulations governing the local authorities which would restrict municipal rights and prerogatives, governmental practice has served, as in the other countries, appreciably to limit their liberty and their initiative.

In order properly to understand the portent of these trends, let us take a hurried glance at the high points in the development of French municipal law in the course of the last century, which reveal the profound modifications of political orientation which have taken place within the French nation. Before the Revolution of 1789 there was, in fact, no such thing as French municipal law. Throughout the whole of France, at the hazard of circumstances, of traditions, of negotiations between the communities and the feudal overlords, not to mention frequent armed insurrections, there was gradually built up communal organization with as many variations as there

were communes. The administrative reform following the Revolution, which had as one of its objectives to make France "one and indivisible," was based upon a uniform legislative regulation of local government—obviously a complete departure from the former state of affairs.

Under this legislation France was divided into departments, which were subdivided into communes, to which a uniform administrative structure was accorded, without regard to their size, their economic character, or their social constitution. The regime was essentially democratic, in the sense that the municipal governing bodies were elected by universal suffrage, and designated without interference the persons destined to conduct the administration—the mayor and his assistants. The prerogatives of the local authorities were also extremely broadly defined, but subject to certain financial limitations, in the sense that they were allowed to levy only those taxes prescribed by laws which were framed for the aggregate of the communes.

With certain formal variations, this scheme of things obtains to the present day. It has, of course, been fundamentally affected by the successive political orientations which have occurred.

The empire and the monarchy which followed in the wake of the French Revolution maintained the system of

elective municipal councils, except that during the first part of the eighteenth century only the propertied classes were admitted to the suffrage. But the power of designating the mayor and his assistants was lost to the state, or to the representative of the central government, the prefect of the department. Subsequent developments, however, limited appreciably the power of the central government in the naming of the mayors and their assistants in the more populous communes.

THE MUNICIPAL LAW

The law of 1884, which is the municipal charter law of the republican regime, established definitively the liberty of the local authorities in the designation of their administrative officials. It did not, however, remove the fiscal tutelage in which the municipalities had been bound, and one of the greatest defects of French local government at the present time is that the identical system of taxation is imposed on great cities, industrial areas, rural communes, and residential satellites.

Among other things, the law prescribed the respective spheres of competence of the deliberative power, the municipal council, and the executive power, the mayor and his assistants. In fact, the executive power is centered completely in the mayor, since his assistants have no authority to act except when the mayor is absent, or in matters concerning which he has specifically delegated his authority. The single executive is an undisputed fact in French local government.

But both the executive and deliberative branches have authority of two sorts; in some cases, each within its respective province, their decision is conclusive, in others they must have the approval of the central government or of the central government's representative, the prefect. Under such circum-

stances it is quite clear that each change in the political complexion of the central government is a matter of considerable importance to municipal liberty. The enumeration of acts which must or must not have the approval of the central government is obviously established in the law. The protagonists of municipal liberty insist that the restrictions imposed by the law are in limitation of the powers of the central government in demanding approbation—everything not specifically prohibited to the communes is within their competence. Each time, on the contrary, that the central government wishes to extend its power over the municipalities it considers that only those matters are relegated to the independent competence of the municipalities which under the terms of the law do not require central approbation. Precisely around this issue has raged a debate which has plagued French local government for almost a century, whether, for example, the municipalities have the right to administer directly, "*en régie*" as the French phrase goes, the public utility services. During periods in which the central government takes a liberal view of municipal powers, it is considered that since there is no formal interdiction to direct administration of such services, such administration is within the power of the municipalities. In periods of reaction, it is insisted that since direct administration of public utility services is not expressly contemplated by the law, the communes are prohibited from all activity of this nature.

With regard to public utility services, as in other matters, even when the central government has no direct control over actions which this or that predominant political group may regard as inopportune, the central authorities exercise broad powers in the conduct of municipal affairs. The law, for example, provides that long-term contracts of the

local authorities shall not be valid without the approval of the central government, and by the exercise of this power much control is gained over many important municipal functions. Since almost every important development in the municipal services involves the borrowing of money, and since such borrowings involve gradual amortization, the power of the central government over long-term engagements again comes into play, and the central authorities are thus given virtually absolute control over important municipal activities. This is not theory: the exercise of these prerogatives of the central authority characterizes completely the liberal and reactionary policies manifested during the different periods.

THE COUNCIL OF STATE

Another limitation to municipal autonomy is the right of any French citizen to demand of the Council of State the annulment of an act of the local authorities. The authority of the Council of State in this regard is not unlike that of the United States Supreme Court. Here also, following the general political circumstances, the Council of State manifests tendencies now of liberalism and again of reaction. Curiously enough, however, the excesses of liberalism or reaction of the central government do not always coincide exactly with those of the Council of State. For example, a legislative act of 1926 gave to the municipal authorities the right, in accordance with certain formalities, and particularly that of the approval of the central government, to administer directly public utility services. Several municipalities undertook the administration of such services "en régie," and in the course of time an interested citizen brought the matter to the attention of the Council of State. The Council of State enjoined the municipal authorities from proceeding with such projects, on the pretext

that the law of 1926 had not given the municipalities any new prerogatives, but only regulated the conditions under which they exercised their former powers. Since the Council of State had not previously considered that the municipalities could operate directly the public utility services, except in cases where private initiative had failed or was inadequate or insufficient, the same restrictions continued to apply and the act of 1926 affected only the mode of exercise of the power of operation as it existed previously. But that was not what the legislators who drafted and passed the act of 1926 had in mind.

As in Holland and in Belgium, the financial difficulties which have resulted from the economic crisis have considerably strengthened the hand of the state in municipal affairs. The municipalities have, in a number of cases, been forced to turn to the state for subventions for the maintenance of certain services which they were utterly unable to pay for—unemployment assistance, for example. In taking advantage of the opportunities which this embarrassment offered, the state has imposed regulations on the smallest acts of the local authorities, has submitted them to multiplied vexatious formalities, has increased appreciably delays in administrative action, and has, in general, completely hamstrung the municipal officials. All of this was not without its full measure of effect in the May parliamentary elections, as may be judged by the outcome.

The new government, called the *Front Populaire*, has, by its origin and nature an attitude more favorable to the maintenance and development of municipal liberties. Many of the leaders in the new government have had large experience in the administration of local affairs; these men are firm in their conviction of the need for fundamental administrative reform in the direction

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The Changing State-Local Financial Picture in France

National government contributed nearly a quarter of local expenditures during 1934 in centrally collected taxes, grants-in-aid, loans, etc.

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SINCE the World War and especially during the present period of economic depression, every industrialized country has had to grapple with the perplexing difficulties involved in readjusting the fiscal relations of central and local public authorities. Notwithstanding the strongly centralized character of its governmental system, France has not escaped the impact of this problem. Some, at least, of the recent piece-meal changes made in French local finance have suggestive implications for American legislators and tax officials now engaged in an effort to "rationalize" our own federal-state-local revenue relationships.

For purposes of local government France is divided into ninety territorial *départements*, corresponding roughly to our counties, and 38,000 *communes*, both urban and rural in character. Until the last third of the nineteenth century local units enjoyed almost no political, administrative, or fiscal autonomy. After 1871, however, control from Paris was considerably relaxed by a series of legislative changes culminating in the decrees issued in 1926 by the Poincaré government. Elective municipal councils, for example, have been granted increasing leeway in determining objects of expenditure over and beyond the mandatory items laid down by national legislation. Departing from a pronounced nineteenth century fondness for private initiative in local affairs, post-

war legislation has authorized French cities to expand along a broad front of municipal public utility enterprise, although France still lags behind England and Germany in this respect.

Until the World War local revenues were obtained primarily from taxes on real estate, rentals, "doors and windows," and occupations by adding local "centimes" (hundredths of the franc) to tax quotas fixed each year by the central government. The maximum number of local centimes that could be levied by local authorities was laid down annually in the national budget act. With the exception of the municipal *octroi*, an old internal quasi-customs tax dating from before the French Revolution, no independent local tax sources of any importance were available to local taxing bodies.

So far as local requirements were concerned, this system gave fair satisfaction until the period of the war. Then, by a series of reforms passed in 1914-17, three of the four antiquated and inequitable direct taxes mentioned above were abolished as sources of national revenue, personal and business income taxes replacing them, only the real estate tax being retained in modified form. This action placed a new complexion on the local tax problem. It was not thought feasible to superimpose additional centimes upon income tax rates. Instead, however, of directly reconstituting the local tax base, it was decided

provisionally to continue the local "additional centime" system by using as an artificial base the direct tax quotas formerly established for national purposes. This was admittedly a cumbersome and unsatisfactory arrangement.

FINANCIAL CONFUSION

The decade following the peace was marked by increasing confusion in local public finance. In 1918 the *octroi*, outmoded as a twentieth century revenue instrument, was greatly reduced as regards classes of goods that were taxable, as well as rates that might be charged. Eight years later the traditional "doors and windows" tax was completely abolished for local purposes. Local revenue further shrank because of a marked decline in the share of the real estate tax yield which accrued to local authorities. This decline was produced in part by the fall in farm values, still more by the appropriation of an increasing proportion of the proceeds by the heavily indebted central government. In order to finance growing expenditures for welfare, health, relief, rural electrification, schools, and highways, local authorities were not only forced to levy all the local traffic would bear, but were obliged more and more to borrow money. By 1929 the local public debt, in terms of the devalued franc, had grown to three times what it was before the war.

After 1931 the impact upon France of the world economic depression further aggravated the crisis in local (as well as national) finance. By 1934 local expenditures, augmented by relief and public works outlays, reached a total which was 165 per cent higher (account being taken of currency devaluation) than twenty years before. Aggregating over 23,000,000,000 francs (\$920,000,000), this sum amounted to 40 per cent of the "regular" national budget (not including revenue from the post office, state tele-

phone and telegraph systems, and tobacco and match monopolies).¹

Two groups of communes were hit hardest by this critical situation. On the one side were the small rural communities with an excess of old people and greatly reduced farm income. On the other side were the larger cities and industrial suburban communities, where unemployment was greatest. Many of the medium sized urban communes still managed to get along fairly well, some of them because of very lucrative revenues from public forests or mining concessions located within their territories. Nevertheless, had it not been for the fairly close control over local tax collections and loans exercised by the central authorities (prefects and ministries of the interior and finance), municipal bankruptcies would doubtless have been frequent during recent years. (To Americans it will appear remarkable that only one French city has actually defaulted on its obligations—a single-industry community in which the industry failed!)

Several years prior to the present financial crisis the demand for local tax reform began to be heard. This demand was focused primarily through two groups: the "mayors' bloc" in Parliament and the National Association of French Mayors outside. In France the tie-up between local officials and the national Parliament is peculiarly close. From two-thirds to three-fourths of the deputies and senators are at the same time mayors or members of municipal or "county" councils. Those mayors who belong to Parliament constitute a powerful voting group for the protection of local interests. Outside Parliament the Association of Mayors, with a perman-

¹For convenience in computation, the pre-Roosevelt dollar, worth 25 francs, is used in this article for converting sums from francs into dollars.

ent headquarters in Paris, holds annual meetings and carries its proposals directly to the mayors' group in Parliament, or, if need be, to cabinet ministers.

In a less direct fashion the French Union of Cities, founded in 1913, engages in efforts to secure legislation favorable to the smaller municipalities. It also provides technical aid and legal advice to those cities that cannot themselves afford to maintain such services. In conjunction with the Association of Mayors, which is dominated by the representatives of the larger cities, the Union of Cities has been a constructive element in the struggle for the reorganization of local public finance. Taxpayers' leagues have also played roles of varying importance, sometimes of a constructive, more often of a destructive character.

FINANCIAL REORGANIZATION

To date the remedial steps taken with a view to relieving the crisis in local public finance may be grouped under six heads: (1) Utilization of new state collected and locally shared taxes; (2) establishment of certain independent sources of local revenue; (3) expansion of direct subsidies from the national treasury; (4) state loans of capital and reduced interest rates; (5) transfer of highway costs from local to central authorities; (6) emergency economy measures of 1935. A brief discussion of each of these reforms is necessary in order to understand the shifting financial picture.

(1) By laws enacted in 1920, 1925, and 1930 several new centrally collected and locally shared taxes were set up. The most important of these include taxes on alcoholic beverages, motor cars, business turnover, and official identification cards for foreigners. The apportionment of their yield between state and local authorities is determined by legislative formulae which take into account

such factors as the consumption of wine and beer, highway mileage, population, and the number of alien residents respectively. More recently, in 1934-35, 10 per cent of the national gasoline tax yield was also allocated for local purposes and new locally shared taxes on hunting permits and filling stations were imposed. Designed in part to replace the old *octroi*, the portion of the proceeds of these new taxes accruing to the *départements* and *communes* now amounts to around 5 per cent of their annual expenditures. While a nationally unified system of collection for such taxes is probably necessary and admittedly an advantage, the criteria by which the proceeds are distributed are subject to widespread criticism. The chief complaint is that the principles according to which local allocation is made have no close relation to the varying revenue needs of local districts. Many cities, receiving larger sums than they can use, are tempted to be extravagant, while others find the amounts insufficient to replace lost or declining tax resources.

(2) As a further means of helping local authorities to put their financial houses in order, a law passed in 1926 set aside twenty-three different taxes, licenses, and fees for municipal use. This list included (a) taxes on the income of certain types of property, on employers of domestic servants, on business office rentals, on gas and electricity, on advertising, and on the users of automobiles, pianos, and billiard tables; and (b) the power to license athletic clubs, night clubs, race courses, and hunting. In certain cases, where the state is permitted to tap the same item, the local levy is limited to 25 per cent of the state tax. Producing an annual yield of only 150,000,000 francs (\$6,000,000) for all those cities that have so far utilized them, these taxes have proved disappointing. At best they represent but a

slight step in the direction of establishing any substantial *independent* and *separate* municipal revenue sources. To the city of Paris, which was already making use of most of these taxes by special authorization, the 1926 legislation proved of no benefit at all.

GRANTS-IN-AID

(3) A wide variety of central subsidies to local public services have been resorted to. The use of direct grants-in-aid began in France as early as 1871, but did not reach formidable proportions until the 1920's. The factors leading to this practice were three-fold: (a) the expansion of the activities of local governments in the social and economic domain; (b) the inadequacy of local tax yields, tied as they were to an artificial and inflexible tax base; and (c) the growing disparity in the capacity of municipalities (and to a less degree *départements*) to meet the burden of rising local expenditure, which gave rise to a demand from the poorer units for "equalization."

As is the case elsewhere, French grant-in-aid policy has evolved without systematic planning—partly by special statutory enactments, partly by provisions inserted almost as "afterthoughts" in annual budget laws, and sometimes merely by the issuance of executive orders. Moreover, it is a policy which remains constantly in a state of flux. During the years 1931-32, for example, no fewer than thirty different parliamentary acts relative to state aid for unemployment relief reached the statute book.

Except for a small subsidy granted annually to the ten "poorest" *départements* for their general use, it has been the practice to assign central subventions to *specific* local purposes, as determined by national legislation. In large part these purposes consist of activities the maintenance of which the state has, in principle at least, made mandatory upon

local authorities. In order of fiscal importance, such subsidized activities may be classified as follows: (1) Unemployment relief and social welfare (aid to dependent children and child-bearing mothers, old age benefits, etc.); (2) public works projects (including school buildings, highways, tramways, autobus lines, water supply systems, low cost housing, urban beautification, and rural electrification); (3) promotion of agriculture (technical and education facilities, insurance, etc.); (4) public health (hospitals, clinics, tuberculosis sanitariums, free medical service); (5) police and fire departments.

The distribution of state subsidies follows three distinct patterns. One type of grant takes the form of a fixed percentage of total expenditure for the service in question. Accordingly, public aid to dependent and neglected children is financed by the central government (20 per cent), the *département* (40 per cent), and the municipality (40 per cent). This is a simple procedure which is claimed not to have encouraged wasteful expenditure, but which does little to mitigate inequality of local revenue capacity.

The tendency now is to employ more complex formulae of allocation. Thus a second group of grants are distributed by taking into account various indices of local capacity (population, total assessed property valuation, or per capita or per square kilometer) without regard to need.

Still a third method, now more extensively employed than either of the other two, is based upon the direct ratio of the number of units to be aided (unemployed, large families, etc.) to the total population; or, if it is desired to stimulate local public works, upon the inverse ratio of the units already available to the size of the area, e.g., completed highway mileage per square kilometer.

This type of grant is best illustrated by the graduated scale of state assistance to local unemployment relief funds (obligatory in the larger municipalities). Where the number of registered unemployed does not exceed ten per thousand inhabitants, the state's share is 60 per cent of the total outlay. As this ratio increases, the percentage increases to a maximum of 90 if and when the proportion of unemployed exceeds thirty per thousand.

In occasional instances the allocation of state grants is left to the discretion of central administrative commissions set up specifically to pass upon local requests.

Once appropriated, state grants are technically handled by the staff of the appropriate ministry (Labor, Public Works, Health, Agriculture, or Education). The plans for public works projects designed to relieve unemployment must be submitted for technical approval by the Ministries of Finance, Interior, and Labor. When they reach joint agreement on the matter, the local authority seeking a grant is so notified. Applications for other types of grants are legally subject to approval by the prefect, acting as the regional (*départemental*) representative of the Minister of the Interior. In practice, however, the prefect's dependence upon local members of Parliament for political good will and electoral activity reduces his scrutiny of the wisdom of local spending almost to a formality.

So far as the expenditure of its grants is concerned, the state exercises an indirect control in various ways. By general legislation it has laid down rules of recruitment and scales of pay for local administrative employees which operate so as to guarantee a minimum level of competence. Further, a branch of the Ministry of the Interior regularly inspects the operation of certain services

administered locally. The effectiveness of such inspection, however, is questionable because the concern of the Ministry of Interior is all too often with politics rather than with the improvement of administrative standards. Accountability for expenditure is much more effectively provided for. Here the "élite" of the national civil service come into the picture as "general inspectors" of the Ministry of Finance. By unannounced visits and periodic inspections they criticize and suggest improvements in methods of accounting and make what amounts to a *pre-* as well as a *post-* audit.

As a further condition of securing state assistance, local authorities are frequently required to keep within such minimum or maximum scales or other conditions as are set by national law or decree. Again, taking unemployment relief as an example, the scale of relief benefits per person or family, as well as the rules of eligibility for relief, is fixed by Paris and must be adhered to by all municipal authorities securing state subsidies.

FINANCING OF PUBLIC WORKS

(4) Despite the fact that direct subsidies to local government services now aggregate as much as 3,000,000,000 francs (\$120,000,000), or 13 per cent of total local expenditures, an increasing portion of local public works activity has had to be financed by borrowing. The state itself has participated in these credit operations by making annual advances of funds to private lending institutions for specified outlays (e.g., rural electrification, low cost housing, local road construction, etc.). In order to lighten the debt charges borne by *départements* and municipalities, the national government went still further in 1931 and set up a special fund for the purpose of reducing the rate of interest on local public bond issues. Long de-

manded by the Association of French Mayors, this fund (*Caisse de Crédit aux Départements et aux Communes*) was provided with an initial appropriation of 300,000,000 francs and has since been nourished by the proceeds of national taxes levied on gambling establishments and commercial sports. Upon request by local government units, the *Caisse* is authorized to assume a variable percentage (15 to 75) of the annual interest charge depending upon their size (population) and financial situation, provided the loan does not bear more than 6 per cent nor run for more than thirty years, and provided the project is approved as socially desirable and economically sound, and is not already subsidized by more than 60 per cent of the total outlay. Loans for public works to relieve unemployment receive preferential treatment. By the end of 1934, nearly seven thousand communes and seventy-four *départements* had taken advantage of these cheap borrowing arrangements.

(5) Five years ago, with a view to reducing the burden of local expenditure, the financial responsibility of caring for forty thousand kilometers of secondary and tertiary roads was transferred directly to the central treasury. This action was taken in partial response to the clamor of local officials that the state should re-assume the total cost of financing such major functions (highways, education, and relief) as were not merely of local significance. Here may be noted a trend back toward direct centralization resulting from the depression.

(6) Faced with the dire necessity of balancing the national budget if devaluation of the franc was to be averted, the Laval Government, during the summer of 1935, imposed a series of emergency economy decrees which reached down to local authorities. First, a flat 10 per cent reduction was ordered on all state expenditures except relief and wel-

fare payments, including subsidies to local services. Next, municipal budgetary procedure (preparation, vote, execution, and audit) was subjected to a revised set of rules by which, among other provisions, the central authorities may reduce non-mandatory municipal appropriations wherever the per capita direct tax levy exceeds a fixed maximum or municipal debts reach a level "dangerous to government credit." Thirdly, the limitations on the number of local "additional centimes" imposable by local taxing bodies, which were formerly specified anew in each annual budget law, now become permanent at slightly lower levels on the average. These are restrictive measures implying a legislative and administrative control more drastic than is to be found in any American state.

SUMMARY

The foregoing account summarizes the major reforms which France has adopted since the war for the purpose of "rationalizing" the fiscal relations of central and local governments. During 1934, to present the picture in full, the French state contributed as much as 22 per cent of all local expenditure in one form or another—centrally imposed and locally shared taxes, direct grants-in-aid, loans, and reduction of interest on local bond issues. In the aggregate, this contribution exceeded 5,000,000,000 francs (\$200,000,000) and amounted to nearly 10 per cent of the total "ordinary" national budget for that year. In contrast with corresponding percentages obtaining in Great Britain and Germany, these figures will perhaps not appear striking.² It must be remembered, however, that "local self-government" has never prevailed to the same degree with the French as with the Anglo-Saxons.

²Cf. Mabel Newcomer, "Locally Shared State Revenues," NATIONAL MUNICIPAL REVIEW, December, 1935.

The reform of French local finance is still unfinished. There is little satisfaction with the way in which the existing "system" is working. It is criticized from numerous points of view. Nearly everyone agrees that it is too confused and unduly complex. Some sort of codification is demanded on all sides. But there agreement ends.

An analysis of current proposals and counter-proposals does, however, suggest several tentative observations: (1) In a country like France, traditionally used to a high degree of legislative and administrative centralization, there is much to be said for letting the central government finance and perhaps administer *in toto* public elementary education, unemployment relief, and major public works projects. Not only would this change give substantial relief to local budgets everywhere, but it would also facilitate the task of equalizing local tax burdens.

(2) In so far as possible, the effort begun in 1926 to establish a really productive system of separate and independent revenues for local areas should be carried forward. If the state were to surrender completely to the localities the real property tax and allow them exclusive use of the taxes on *occupiers* (analogous to English local "rates"), on professions, and on sales of luxury goods, many French tax experts believe that such a goal could be approached.

(3) On account of the difficulty of evolving a formula of distribution that is equitable and does not at the same time encourage loose local financing, the sharing of centrally imposed and collected taxes with local authorities has not given good results in France.

(4) Similarly, French experience with "earmarked" grants-in-aid suggests that they may encourage local fiscal irresponsibility unless they are allocated in terms of *measurable* need and their ad-

ministration is adequately supervised and audited by competent agents of the central government. A good many French municipalities have been "lured" by subsidy and cheap-loan bait into capital outlays beyond their means in order to reduce current maintenance charges.

(5) The problem of how to equalize the burden of local expenditure cannot be solved so long as central tax and subsidy policy helps to perpetuate the existence of outmoded and pauperized units of local government. For many years a movement to consolidate local taxing and administrative areas has been under way in France. Unfortunately, the political and psychological obstacles to consolidation are as formidable there as in our American states. Since 1926 regional (*inter-départemental*) and inter-municipal consolidation on an *ad hoc* basis has been permissible for hospital service, the operation of welfare institutions and normal schools, and certain public utilities. But the thirty-eight thousand communes still remain as general governmental units, all but seven thousand of them averaging less than one thousand in population. Thousands of these rural communes are too poor in resources to maintain the uniformly prescribed governmental organization of mayor, council, tax collector, village police, and separate school. Three thousand "consolidated" communes could probably perform the task of local government much more efficiently and economically than thirteen times that number, without seriously inconveniencing the taxpayer. Correspondingly, the ninety *départements* could with advantage be "regionalized" into a fourth as many districts.

(6) If inter-unit consolidation could be achieved, the classification, or zoning, of communes with respect to pattern of government and financial independence would be a logical supplementary step.

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The New Local Government of Germany

German municipal government still in a state of transition—much depends on local officials' use of powers delegated to them

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THE LOCAL GOVERNMENT ACT

POLITICAL reorientation, whatever its causes may be, concentrates as a conscious procedure primarily on the transformation of thought patterns. But as thought patterns consolidate themselves into constitutions, so new ideologies seek self-expression in governmental forms of their own coinage. To what extent they succeed in reframing the political structure depends not only on their mass appeal but also on their ability to absorb and enlist established traditions. Germany's national resurgence, basically a middle-class uprising, illustrates this "paradox of revolution" perhaps more clearly than comparable developments because the skilled small-income groups, thrown on the defensive since man's blind surrender to machine production, instinctively tend more to preservation and restoration than to experimentation. In addition, constitutional legislation in the Third Reich reflects a phenomenon anything but unprecedented: the acclimatization of a militant opposition creed to the atmosphere of restraint which emanates from governmental responsibility. As early as the summer of 1933 Hitler made it plain to his eleven regional representatives (*Reichsstatthalter*) that "the ideas of our program do not oblige us to act like fools and to overthrow

everything, but to realize our aims judiciously and cautiously."¹

The very fact that German local government for centuries has been profoundly affected by the emergence and the decline of successive tides of political reorientation, is a notable comment on its institutional continuity and its political significance. Autonomy of its manifold subdivisions gave the multipartite medieval state its peculiar shape. In the seventeenth and eighteenth centuries absolutism, fortifying itself through rigid centralism and "enlightened" bureaucracy, began to permeate the local sphere. But this encroachment was not without its blessings: it counteracted municipal particularism and threw the city hall gates wide open to the meticulous administrative standards elaborated by Prussia's, Bavaria's, or Saxony's professional public service.² When Frederick the Great's state, rapidly deteriorating after his death into a revered anachronism, met disaster at Napoleon's hands, Freiherr vom Stein in-

¹*Hamburger Anzeiger*, No. 156, July 7, 1933.

²For a brief presentation of spirit and standards of German local government at the close of the eighteenth century cf. Fritz Morstein Marx, "City Management in 1798": *Public Management*, January, 1935.

initiated his reform program by granting full self-government to municipalities in order to mobilize the people's civic energies in the cause of reconstruction.

Political representation thus made its first appearance in the city. Weimar democracy, in 1919, merely bestowed a national charter upon a cherished and deep-rooted institution when it safeguarded local government's legal status through its explicit inclusion in the constitutional bill of rights.³ Ten years later, however, German municipalities found themselves caught in the desperate swirl of economic depression, and, at the same time, challenged by the display of national initiative called forth by the very scope of the catastrophe.⁴ This precarious situation alone seemed to place local government at the mercy of National Socialism. There was no lack of pessimistic forecasts, as the Hitler cabinet took time to reconsider the future role of municipal autonomy in the "totalitarian" state.⁵ The reassuring outcome is the local government act (*Deutsche Gemeindeordnung*) of January 30, 1935.⁶

THE "BASIC LAW"

The date on which the *Deutsche Gemeindeordnung* (DGO) was promulgated in itself underlines the fundamental importance of the act, for it commemo-

rates the day Hitler rose to the chancellorship in 1933. The preamble makes the obvious explicit by introducing the DGO as a "basic law of the National Socialist state." How do self-government and "national leadership" meet?

The new faith manifests itself along these lines:

(a) The DGO provides all German municipalities, with the exception of Berlin,⁷ with one single statutory foundation, thus substituting national control for state control over local government.

(b) Under the act municipalities "must conform to the laws and the aims of national leadership."

(c) For each unit of local government a party delegate is to be appointed whose consent is required for the adoption of the unit's charter. Moreover, he participates in picking the mayor and the mayor's substitutes (*Beigeordnete*) who operate as departmental chiefs, and selects the councilmen.

(d) The responsibility for the conduct of local government is exclusively concentrated in the mayor (*Führerprinzip*) who is aided by the advice of the councilmen. The council does not cast a vote.

On the other hand, the spirit of preservation and restoration finds expression in the following features of the DGO:

(a) The scope of local government has practically not been restricted as compared with established standards prior to the national revolution.

(b) The "rights of municipalities" may not be encroached upon except "by statute." Administrative control over local government is exercised through executive departments, with the National Ministry of the Interior at the top, charged with specified supervisory powers under the act. "No other authori-

³For an instructive and concise account of German municipal government and administration under the Weimar constitution see Roger H. Wells, *German Cities* (Princeton, 1932). This book has not lost its indispensable character through recent political and legal changes.

⁴On the present-day trend toward larger basic units cf. also Fritz Morstein Marx, "Whither Local Self-Government?": *Public Management*, May 1934.

⁵On a significant preliminary step cf. Fritz Morstein Marx, "The New Roof over German Local Government": *National Municipal Review*, May 1934.

⁶*Reichsgesetzblatt* I p. 49. Cf. also the subsequent ordinances of March 22 and March 26, 1935 (*ibid.* pp. 393 and 470). The text of the act together with an extensive official *Begründung* has been published in the *Deutscher Reichsanzeiger* (1935, Nos. 25-28).

⁷For Berlin the Prussian act of June 29, 1934 (*Preussische Gesetzsammlung* p. 319) has remained effective.

ties or agencies" are entrusted with the right to impose their will on the municipalities.

(c) The party delegate, who holds no municipal office himself, may exert influence only in the preparation of those measures in which he has the legal authority to participate.⁸ In nominating the mayor and his substitutes from all qualified applicants who have responded to the legally prescribed public announcement of existing vacancies, the party delegate does not preclude the supervisory authorities from rejecting all submitted candidates. The selection of mayor and substitutes rests ultimately with professionalized administrative bodies. As to the representative organs of local government, the party delegate may not confine himself to the routine appointment of "politically reliable" citizens as councilmen, but must also see to it that the statutory requirement of "fitness and reputation" is met. In council meetings the members "are obliged to express themselves if their views differ from that of the mayor."

(d) Full-time (salaried) mayors and substitutes, prescribed for all communities of more than ten thousand inhabitants, are appointed for a term of twelve years, nonsalaried for six years. The positions of mayor or "senior substitute" in city-counties are open only to aspirants who have passed successfully through the extensive program of career preparation for the judiciary or the higher civil service.⁹ Mayors and substitutes are subject to removal by supervisory authorities only during the first year of their term.

NATIONAL TRUSTEES

This brief survey of local government under the *DGO*¹⁰ will serve to illustrate the strength of political tradition in Germany's public life. Not less noteworthy, however, are those provisions of the act which deal primarily with municipal administration. Here the controversial ground of local finance warrants particular attention.

"The municipalities," we read, "as trustees of the national community, have to administer their property and their revenues conscientiously. It must be the supreme goal of their economy to preserve the soundness of their finances in the light of what the taxpayers can afford." This declaration of policy finds its essential supplement in the principle that the territorial basis of each unit of local government must insure the maintenance of effectively integrated community spirit and, at the same time, "the municipality's capacity to fulfill its tasks." City limits, therefore, may at any time be revised, inadequate units of local government abolished, annexed, or combined to a new municipality. While the *Reichsstatthalter* is empowered to decree such changes, he is directed to give the affected unit the opportunity to express itself on the project. The necessary financial arrangements are in the hands of the supervisory authorities. It is to be expected that local government's overdue housecleaning will soon be under way.

FRITZ MORSTEIN MARX

⁸Cf. the *Ausführungsanweisung* (Ministerialblatt für die Innere Verwaltung, 1935, p. 442).

⁹Cf. Fritz Morstein Marx, *Civil Service in Germany*. Commission of Inquiry on Public Service Personnel, Monograph 5 (New York & London, 1935) pp. 200 ff.

¹⁰For some supplementary observations cf. Fritz Morstein Marx, "Germany Remolds Local Government": *Public Management*, May 1935. For current information on the trend of German local government readers are referred to *Der Gemeindetag*, the house organ of the "roof" organization of German local authorities, and to Kurt Jeserich (ed.), *Jahrbuch für Kommunalwissenschaft*, appearing annually since 1934 (Stuttgart & Berlin).

MUNICIPAL ECONOMY

CAN anything good come out of the New Germany? The question should not be lightly answered in the negative. In spite of certain policies which have caused widespread criticism abroad, the National Socialist régime has a number of substantial achievements to its credit. Among these may be mentioned the German local government act (*Deutsche Gemeindeordnung* or "DGO") which was passed on January 30, 1935¹ and went into force on April 1, 1935.

The German municipal government act is commendably brief, containing only 123 sections, and is divided into eight parts or chapters. Part VI (secs. 60-105) is called "Municipal Economy" (*Gemeindewirtschaft*) and deals with these subjects: municipal property; economic activity of municipalities; debts; budgets; and treasury, accounting, and auditing procedure. Much of Part VI is old and is taken from the previous laws of the states, but there are also new elements which reflect the National Socialist ideology. The whole comprises a uniform and standard pattern for the future administration of the *Gemeinde*. The principal provisions of Part VI may be summarized as follows.

Municipal property is to be carefully and economically administered. Maintenance, replacement, and enlargement costs are carried in the ordinary budget. Municipalities shall not acquire property beyond what is needed for the performance of their present or conceivable future functions and, as a rule, such acquisitions shall be financed from the regular budget or from reserves built up through annual budget contributions. Loans are not absolutely precluded but may be resorted to only in emergencies. German cities had and still have large holdings of lands, forests, and other properties. However, in some cases

since 1918, over-ambitious purchase programs were undertaken which resulted in financial difficulties. Such abuses the DGO endeavors to check.

The extent to which municipalities should engage in economic activities competing with private business has been a topic of great controversy in Germany. In the post-war period, examples could be found of cities owning and operating retail stores, hotels, laundries, stone quarries, brick yards, ice factories, and what not. National Socialists reject such municipal socialism as practiced by their Social Democratic predecessors, and, during the past two years, have liquidated many competitive experiments. Hereafter, municipalities may not undertake new or enlarge old economic enterprises unless they are justified by their public purpose, unless they are within the capacity and probable needs of the *Gemeinde*, and unless they cannot be better and more economically performed in other ways. The law gives no positive definition of "economic undertaking" but states that the term does not apply to educational, health, and welfare institutions. Moreover, it is generally agreed that the water, gas, electricity, and transportation utilities meet the conditions laid down in the act. The only specific prohibition is against the establishment of municipal banks and even this does not apply to savings banks. Controversy has also raged as to the form of administering municipal undertakings. Should they be administered directly by the city or by a municipally-owned corporation? In the United States, under the New Deal, there has been an increased use of government-owned corporations for various recovery projects. In Germany, on the other hand, the framers of the DGO favor a flexible type of direct administration as being more in accordance

¹RGB1., I, p. 49.

with the leadership principle. Corporate administration was often resorted to in the past to avoid undue political interference from the city council, but now that the burgomaster is both legislature and executive, this argument no longer holds. However, the language of the *DGO* still leaves the choice of form to the discretion of the municipality.

American "yardsticks" such as the TVA have been criticized because of their alleged failure to keep accounts in such a way as to permit true comparisons with similar private enterprises. This criticism is not possible under the *DGO*. The law prescribes that the income of each undertaking shall at least cover all expenditures and make possible appropriate reserves. Under expenditures are included taxes (whether actually paid or which would have been paid if the enterprise were private), interest and amortization payments on loans incurred for the undertaking, and the cost of the services and supplies furnished to the enterprise by other municipal departments and undertakings. Consequently, if comparisons are desired, all the data are available. The act also stipulates that economic undertakings shall earn a profit for the municipal budget. In the depression, financial necessity forced municipal utility rates to high figures. It is the hope of National Socialists to reduce such rates so that they will yield only a fair profit to the municipalities.

DEBT PROVISIONS

German cities are burdened with a mountain of debt. When Hitler came to power, the floating debt in particular had reached almost unmanageable proportions. Under a national law of 1933, the municipal floating debt was largely consolidated into long-term obligations at a lower rate of interest. Nevertheless, the financial situation is still serious and for this reason the debt provisions of

the *DGO* are severe. All loans (except temporary credits) require the approval of the higher state supervisory authorities and the consent of the national ministers of the interior and finance. A municipality may float loans only for extraordinary and imperative needs which cannot be met in any other way. It must demonstrate that the interest and amortization requirements involved are within its permanent capacity to carry. As evidence of capacity, the *Gemeinde* must normally make, before the adoption of the loan, an important contribution from the ordinary budget toward the project for which the loan is desired. Each loan must have an amortization plan. A recurring need financed by a loan must be amortized before the need recurs. The less the direct economic profit from the loan, the higher must be the regular amortization contributions. If a sinking fund rather than a serial loan is used, sinking fund payments must be periodically appropriated and maintained. Temporary credits may be employed only for ordinary budget expenditures and not for outlays called for in the extraordinary budget. They must not exceed the amount of such credits fixed in the budget ordinance and approved by the supervisory authorities, and only in exceptional cases may they be larger than one-sixth of the ordinary income of the *Gemeinde*. Temporary credits must be repaid within nine months from current revenues or other resources. The supervisory authorities shall approve temporary credits only if the need cannot be met by borrowing from the reserve funds of the municipality's own undertakings.

The budget year begins on April 1 which makes it uniform with that of the Reich and the states. Each *Gemeinde* must adopt a budget ordinance containing the budget plan, the municipal tax

rates (the large sums turned over to municipalities by the national and state treasuries are not subject to local determination), the maximum amount of temporary credits, and the amount of loans for the outlays of the extraordinary budget. The budget is prepared and adopted by the burgomaster as the responsible leader after consultation with the municipal councillors, and is promulgated with due public notice. The budget must cover all foreseeable expenditures and revenues including deficits from the previous year which are to be offset by expected income. One month before the beginning of the fiscal year a copy of the budget ordinance must be sent to the supervisory authorities whose approval is necessary for the tax rates, temporary credits, and loans. The burgomaster must conduct the administration according to the budget ordinance. Other provisions of the *DGO* regulate the procedure to be followed if the budget is not promulgated before the opening of the fiscal year, the use of supplemental budgets, the permissibility of excess or unbudgeted expenses, etc.

AUDITING REGULATIONS

Under treasury, accounting, and auditing procedure, the most important provisions relate to auditing. City-counties (a term which covers practically all large and medium-sized cities) must establish an auditing office and other municipalities may do so if there is need. Within the first quarter of the new fiscal year, the burgomaster must report

on the accounts of the previous year. His report is subject to three separate examinations—by the municipal councillors, by the auditing office, and finally, by the supervisory authorities whose approval is necessary to relieve the burgomaster from further responsibility for it. The auditing office examines the accounts to determine if the budget plan has been followed, the accounts properly kept, and the income and expenditure legally made. The burgomaster may also assign to the auditing office the current supervision of municipal accounts and supplies, the supervision of economic undertakings, and the examination of the entire administration from the standpoint of economy and efficiency. Moreover, the national ministers of the interior and finance are authorized to provide by decree for a thorough non-local examination of municipal budgets, treasuries, and accounts, and also of the general economy and efficiency of the administration. For this purpose, a special agency is to be created under the Minister of the Interior.

The unification of German municipal law cannot be fully accomplished overnight merely by the enactment of a single statute such as the *DGO*. Adjustments are necessary and are being made during the transition period and many details of the law must be supplied by decrees. The economic and financial standards of the municipal government act are high but, if Germany's recovery can continue, there is no doubt that municipalities will be able to comply with them.

ROGER H. WELLS

HOME RULE—OLD AND NEW

A successful study of constitutional problems of a country not one's own demands in every instance a consideration of the problems underlying them. Municipal functions especially have their own characteristics due to various

governmental structures, historical development, philosophic, economic and social requirements. The fact alone that Germany, with sixty-five million people, covers a territory approximately equal only to three-fourths of Texas, causes

many problems to have an entirely different aspect in that country than in the United States. In addition it should be kept in mind that the governmental structure of Germany including the position of the states and municipalities differs fundamentally today from the American constitution.

The German municipalities formerly occupied essentially the same position as their American sisters. They had administrative relations only with the states which at that time were bodies with authority of their own as the states here. Soon after the war, however, there began in Germany a development of direct administrative relations between the Reich and the municipalities similar to the development now going on here between the federal government at Washington and the cities throughout the country. Over there as here it was for the same reasons: economic depression, unemployment, and the fact that municipalities and states alone could not overcome the difficulties.

CENTRALIZATION OF GOVERNMENT

Since 1933 Germany has become a unitary state. All the governmental power has been centralized in Berlin. The states like Prussia, Bavaria, Saxony, etc., are now only administrative districts of the Reich, without any authority of their own. As far as the municipalities are concerned the consequence was that the lines of administrative relations now run from them up through the states and are extended to the Reich government in Berlin.

In the municipal field the most important result of the national centralization going on in Germany in recent years is the German "Communal Order" (*Deutsche Gemeindeordnung*) which has taken the place of some forty different organizational laws and settled all the important questions of communal organization alike in all communities, be

it metropolis or small country town. Only the capital of Berlin has been excepted since this city with more than 4,250,000 inhabitants has many special problems. In spite of this simplification every German community has retained its own character and its own particular constitutional peculiarities. The Reich law is only basic, and each municipality fits its own requirements into this frame in the shape of local by-laws.

The new German Communal Order is the result of a long and interesting development. The first reason for alteration lay in the extreme differences in municipal laws, expressed in the laws of various parts of the country. Under these not only the population but also the administrative interchange suffered. Furthermore, there was the fact that reforms of these laws had been demanded for a long time, although the efforts of neither state nor communes were successful. The chief reason, however, was created by the reorganization of Germany, which in 1933 changed from the parliamentary democratic system to the leadership system.

In a leadership state there exists only one will from the highest to the lowest unit of the state structure. It can fittingly be defined in the phrase: Authority over the lower, responsibility to the higher. A leader state, furthermore, does not recognize any specific law-making organization; legislative and executive are no longer separate powers. For the new German leadership state it was impractical to retain the old form of municipal administration, which was also democratic-parliamentary. On the other hand, the National Socialist state did not want to lose municipal self-government. The task in preparing the reform law, therefore, was to find a synthesis of the leadership principle and home rule.

How the new German municipality

looks today has been explained in the previous articles. About fifty thousand communes are managed and administered on those principles. The most important changes are that the representative bodies which were formerly elected have now disappeared, and that the political direction is no longer fixed through public elections but by a local party representative. Many like to include also the appointment of the mayor and his deputies although formerly municipal officers were appointed in a very similar manner.

The reform of the foundation for the organization of German municipalities has raised the question as to whether there really is any self-government or self-administration left in the German communes. In our opinion it would be better to put the question this way: do the German municipalities still have individuality, or are they simply administrative units of the state, without any individuality? It might be quite interesting to mention at this point that a similar question came up when Germany was a democratic state. At that time it was said that in a democratic state a municipality was only another democratic unit and that there was no need for it. It had been recommended to dispense with the municipalities as individual administrative bodies and to embody them in the state administration.

At present the question will be answered in favor of individuality and *Selbstverwaltung*, and this can be proved by the fact that the spheres of activities of the German municipality are fundamentally unchanged. Now, as heretofore, the German municipality may undertake any and every functional activity, the carrying out of which it deems to be desirable for meeting local needs, provided such activity has not been reserved by legislation to some other public body. The state has reserved to itself only such public functions

as must of necessity be discharged uniformly throughout the country. All other functions are left to the municipal authorities.

From the point of view that the municipalities do still enjoy individuality it is of great importance even now that there are voluntary self-government functions for the German communes on which no limit has been placed by the new law. The regulations made under the law point out that it is definitely left to the municipality to determine the nature and extent of any of its voluntary activities, having regard to local needs and to its ability to meet them, and bearing in mind the economic circumstances of its taxpaying inhabitants. Contrary to the American custom, no special legislation, either by state or municipality, is required if a municipality desires to take up new activities.

In addition to the fact that the German municipalities are entitled to decide what voluntary functions they will perform, it may be said that they discharge these functions on their own responsibility. They have to answer for the results of their administration. The state does not relieve them of this responsibility. Self-responsibility has to be increased and cultivated by all means.

CITIZEN PARTICIPATION

Coöperation of the citizens still exists also. It is provided for through the councillors as advisors. That they are appointed does not matter. The councillors are deciding factors in the making of the budget and in the accounting. The importance of their duties is much greater than before. It is the positive duty of these people to give their advice. Every councillor is duty bound to inform the mayor of his disagreement. They can no longer hide behind anonymous majority decisions.

In favor of individuality can be cited also the fact that state supervision is

not unlimited but clearly defined by law. And the rule that new state duties can be imposed on municipalities only through new laws would not be necessary if the municipality were only remotely identical with the state or were a body without individuality.

In spite of all the fundamental changes German *Selbstverwaltung* has survived and is still alive. It can be said without doubt that it is regaining strength. Significant in this respect is the fact that the plan to transfer city officials at regular intervals from one place to another has failed, and that the local representative of the party is not an official of the municipality and does not participate in the making of the budget.

Municipal self-government, self-administration, and *Selbstverwaltung* are not fixed matters. They develop continually. Value and character depend entirely upon the state in whose framework the municipality is placed. History shows many cases where the fate of the state had an influence also on the municipalities. Ups and downs of the state

are reflected in the progress or failure of its divisions. The Germans claim that the municipalities are the basis of the state structure and demand that these units move in the same political direction. The position of municipalities in Germany must therefore be considered from this point of view.

At present German municipal problems are still in a state of transition. If the volume of local self-government has been curtailed, it is a consequence of former over-emphasis of the idea. The fate of German local self-government depends entirely upon the German municipalities. How the mayors will use the powers delegated to them, and what status the municipal councillors will derive from their positions will be of decisive importance. It is the belief of outstanding representatives of German municipalities that the duties of local officials will be performed well. They do not worry about the fate of German *Selbstverwaltung* and even anticipate an increase in the liberties and rights of German municipalities.

GOTTHILF BRONISCH

LOCAL GOVERNMENT IN FRANCE

(Continued from Page 503)

of decentralization. The new regime is resolved to have done with the pseudo-equality which, for a hundred and fifty years, has stifled municipal initiative under a uniform organic regulation of local authorities. A special regime will undoubtedly be established for the cities and particularly for the great urban agglomerations, consisting of many communes, notably the Parisian region. A strong sentiment is also discernible for the abolition of rural communes whose resources are too small to permit of effective action. There are 38,000 communes in France, and over 31,000 of them have less than one thousand inhabitants! The rural communes will

be grouped in an old administrative unit, the canton, which is at present without important functions, in a manner which will give the cantons life and importance.

France is also confronted with the same grave problems as America in the matter of public personnel. It is possible that in this regard the *Front Populaire* will be less meticulously observant of municipal liberties, now exercised entirely without restriction, and generally with little good sense, in the designation of local administrators.

In conclusion, France is at the beginning of a new and decisive struggle, not very different from that which is going on in almost every country of the world, against national centralization and for the increase of municipal responsibilities and municipal prerogatives.

The Italian Law on Communal and Provincial Government

A description of the act governing local authorities under Fascist rule

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IN THE twelve years that have elapsed since the establishment of the Fascist régime in Italy, scores of orders and decrees affecting the organization of local government have been promulgated. So many have been these regulations and so fundamental the changes brought about by them, that some confusion had come to exist in the administration of the law. Recognizing the desirability of replacing the last formal law on local government¹ with a more modern equivalent, the Italian legislature in 1932 authorized the government to codify all of the legislation which had been issued since 1915.² From the text of this enabling act of 1932³ it will be seen that the government was empowered to go beyond the mere act of codification to proclaim whatever modifications might be necessary. Hence the *legge comunale e provinciale* contained in the royal

decree of March 3, 1934⁴ is more than a simple compilation of recent ordinances; it is the authoritative basis from which all local government authorities derive their power.

The analysis which follows is intended to indicate the nature and scope of the law of 1934. This is an extensive document, prepared in the Ministry of the Interior, and officially known as a "law" although it takes the form of a decree issued under legislative authorization. It is a document of 427 articles which cover 120 pages of text in the *Bolletino Parlamentare*.⁵

In the new law are basically retained,

⁴No. 383. Text in *Gazzetta Ufficiale* March 3, 1934; also in *Bolletino Parlamentare*, vol. VIII, no. 1 (April 1934-XII), pp. 27-146, inclusive.

⁵The scope of the new law is indicated in the following schedule of its contents: Articles 1-16, preliminary dispositions; chapter I, article 17-29, administrative areas, governmental authority, and organs of control over local affairs; chapter II, articles 30-110, the commune; chapter III, articles 111-155, the province; chapter IV, articles 156-172, the unions (*consorzi*) between the communes and provinces; chapter V, articles 173-250, the communal secretary and the employees and salariat of the communes, provinces, and *consorzi*; chapter VI, articles 251-265, responsibility of administrators and employees, and the administration of public funds; chapter VII, articles 266-343, dispositions common to the communal, provincial, and *consorzial* administrations; chapter VIII, articles 344-402, the government of Rome; chapter IX, articles 403-427, transitory and concluding dispositions.

¹The law of February 4, 1915, no. 148.

²The law of March 31, 1932, no. 359.

³Its single article read as follows: "The Royal Government is authorized, with the consent of the Council of State, to modify, integrate, coördinate, and assemble in a single text the dispositions of the communal and provincial law of 4 February, 1915, no. 148, the Royal Decree of 30 December 1923, no. 2839, the succeeding laws which have modified them and other laws and dispositions issued up to 31 December 1931, pertaining to them." *Bolletino Parlamentare*, vol. VI, no. 1 (April 1932-X) 55-65, at 65. A general *legge comunale e provinciale* had also been adopted December 30, 1923, no. 2839.

if not amplified, the general regulations which have made Italy perhaps the most highly centralized of the unitary states. So vast is the authority and power of the central government over local affairs, and so few are the autonomous subjects of local jurisdiction, that it is almost misleading to say that the line of responsibility runs upward. It is more correct to say that the responsibility is concentrated at the top and that this responsibility is administered, under complete supervision, by subordinate agencies. This fundamental principle is reiterated constantly throughout the entire text of the law and is stated more concretely in several of the "preliminary dispositions." The Ministry of the Interior is given a virtual veto over all proposals, including those emanating from the central government authorities in Rome, affecting communal and provincial authorities;⁶ legislative proposals purporting to impose financial obligations upon the communes and provinces require the approval of the Ministries of Interior and Finance;⁷ no action of local authorities lacking competence is productive of legal effect in the absence of positive authorization;⁸ and, except where the present law otherwise provides, recourse from the regulations of local authorities is permitted through hierarchical channels to superior authorities.⁹ These and other provisions safeguard the structure of local government from impairment, whether by the action of other national authorities or by local authorities.

THE COMMUNES

In keeping with the progressive tendency, an effort is made to adapt the many communes of small population to a more effective solution of problems

created by modern technology. Communes with a population of less than two thousand which lack facilities adequate for the public services may, when topographical conditions permit, be combined or added to the area of a larger commune. Upon suitable recommendation by the *podestà*, these combinations may subsequently be dissolved.¹⁰ On the other hand, those communes which find themselves embarrassed by reason of increased population or economic development from accomplishing an efficient administration may petition for an increase in their area.¹¹ This may result in the absorption of neighboring communes, in whole or in part. The boundaries between communes may also be rectified when their present frontiers are not naturally marked or if they give rise to uncertainty.¹²

Decentralizing forces are also recognized. Those boroughs or fractional communes with a population of more than three thousand which are remote from the center of the commune may be constituted as separate communes if they are able to provide adequately for the public services. This may be done upon petition either by the borough interested or by the center (*capoluogo*) itself. Whether the borough will be given a separate status or added to an adjoining and more conveniently located commune depends upon circumstances.¹³ All of the foregoing changes are authorized by royal decree-law, with the approval of the appropriate *podestà*, provincial rector (*rettorato*) and the council of

¹⁰Article 30.

¹¹Article 31.

¹²Article 32. A general power to alter communal boundaries had been given the government by the royal decree-law of March 17, 1927, no. 383 (converted into law, June 7, 1928, no. 1382). A simple list of the decrees issued under this law covers twenty-five pages in *La Legislazione Fascista* (1922-1928, I-VII), vol. I, pp. 226-251.

¹³Articles 33, 34

⁶Article 1.

⁷Article 2.

⁸Article 4.

⁹Article 5.

state. Interested persons are afforded an opportunity to protest, eventually to the Minister of the Interior, against these alterations.¹⁴ From these and related provisions it may reasonably be inferred that the Fascist policy of reducing the number of communes has not reached its final stage.

The *podestà*, often compared to the American city manager, continues to be the officer responsible for communal administration. The *podestà* is appointed by royal decree; the *vice-podestà*, where provision is made for him, is appointed by decree of the Minister of the Interior. Both serve for four years and may be reappointed.¹⁵ Either may be suspended by the prefect for non-observance of official duties or for reasons of public urgency. For the same reasons either may be removed by the appointing authority. In no case may an appeal be taken from the action of suspension or removal.¹⁶ Throughout the entire law liberal removal powers are granted, thus guaranteeing thorough administrative conformity.

With a few exceptions, prospective appointees to these positions must present diplomas attesting to their technical or magistral competence.¹⁷ In addition to the customary disqualifications from the public service,¹⁸ the office is declared incompatible with other specified public duties.¹⁹ Of course, the *podestà* need not be a resident of the commune at the time of appointment.

Several communes with a population of less than ten thousand and situated within the same province may be placed under the same *podestà*, but no *podestà* may have charge of more than three

such communes. *Vice-podestàs*²⁰ may be appointed, one each for communes having a population between twenty thousand and a hundred thousand, and two for communes in excess of a hundred thousand. A *vice-podestà* may also be appointed for communes of less than twenty thousand when these are either the chief places (*capoluoghi*) of the provinces or important public points or the centers of notable industrial or commercial activity.²¹

The dual nature of the functions performed by the *podestà* is succinctly expressed in article 50: "The *podestà* administers the commune and is an official of the government." As the communal administrator, he enjoys a variety of powers, including supervision of officials and employees, economic agreements, transactions, including communal contracts, regulation of communal property, hygiene, public buildings, and local police, and, in general, "all matters which are appropriate to the commune."²² As an official of the government he is charged, subject to regulation of superior officers, with responsibility for maintaining the civil functions, keeping the necessary official registers, securing the public order, and, in general, "to discharge the duties confided in him by law."²³ A complete ordinance power to accomplish these objectives is granted to him, with provision for intervention on the part of the prefect if the *podestà* fails to take suitable action. Protests against these ordinances of the *podestà* or prefect may be carried to the provincial administrative *giunta*, in juris-

¹⁴Article 35.

¹⁵Article 42. The law of February 4, 1926, no. 273, originally fixed the term of the *podestà* at five years.

¹⁶Article 49.

¹⁷Article 43.

¹⁸Article 8.

¹⁹Article 44.

²⁰Thus to pluralize the term "*podestà*" which is both the plural and singular form seems justifiable in the interest of clarity. On the origin of the term, see L. K. Born, "What is the Podestà?" in 21 *Amer. Pol. Sci. Rev.*, November 1927, pp. 863-871.

²¹Article 38.

²²Article 53.

²³Article 54.

dictional session.²⁴ Under specified circumstances, an appeal may be taken from the *giunta* to the Minister of the Interior.²⁵

Ten years ago the elective councils which formerly functioned within the communes were replaced by appointed councils. This appointive principle is retained in the new legislation with some clarification. Communes with a population of between ten thousand and a hundred thousand inhabitants are entitled to a council of between ten and twenty-four members; communes exceeding one hundred thousand in population have a council of between twenty-four and forty. Communes of less than ten thousand which happen to be the *capoluoghi* of provinces are regarded for this purpose as communes of that size. In the discretion of the prefect other communes of less than ten thousand may be given a council of six to ten members.²⁶ Within these limits, the prefect determines the exact size of the communal council, taking into consideration the value of the productive enterprises of the communes.²⁷

The corporative principle which prevails on higher levels is especially adapted to the composition of the communal council. The larger economic enterprises of the commune (provided that they employ more than 1 per cent of the workers of the commune) enjoy a representation so regulated that each communal council will have in equal numbers representatives of the employers' and employees' syndical organizations. It is the responsibility of the prefect to determine which productive enterprises are to be represented, and to what extent.²⁸ From his judgment on this point, no appeal may be taken.²⁹ These details

having been arranged, the prefect appoints the nominees of the legally recognized syndicalist organizations of employers and employees to the council for a term of four years, subject to reappointment.³⁰

Several features emphasize the consultative character of the councils so selected. At all times, when necessitated by "grave reasons of an administrative character" or by the requirements of "public order," the councils may be suspended by the prefect or dissolved by the Minister of the Interior, subject to the single qualification that they must be reconstituted within one year.³¹

The deliberative functions of the communal council depend, in some measure, upon the population of the commune. For this purpose three classes of communes are recognized: (1) those having populations in excess of one hundred thousand;³² (2) those having populations of between twenty thousand and one hundred thousand³³ (including smaller communes which are *capoluoghi* of provinces); and (3) those having populations of less than twenty thousand.³⁴ These distinctions are made with the primary purpose of granting councils in the smaller communes jurisdiction over lesser financial matters than would interest the larger councils. The important functions of the councils relate to the preparation of budgets, the imposition of local taxes, the acquisition of industrial shares and real estate, public loans and debt, and the regulation of public property; in other details the councils' functions relate to many of the subjects over which the *podestà* is given jurisdiction.³⁵

Articles 84 through 96 relate to com-

²⁴Article 55.

²⁵Article 63.

²⁶Article 39.

²⁷Article 64.

²⁸Article 65.

²⁹Article 66.

³⁰Article 67.

³¹Article 76.

³²Article 79.

³³Article 80.

³⁴Article 81.

³⁵Compare articles 79, 80, and 81 with article 53, *ante*, note 23.

munal finance and accounting. The vital distinction here made is between the obligatory and optional expenses of the commune.³⁶ Obligatory are certain expenses pertaining to patrimonial burdens; general accounts (including, in the main, the general expense of maintaining the ordinary administrative establishment); local police, sanitation and hygiene; public security and justice; public works; national education; agriculture; relief and charity; *culto* ("cultural" establishments); and all other obligations which might be imposed by general law.³⁷ Other expenses are optional and depend on the will of the commune.³⁸

THE PROVINCES

Within the provinces the chief instrumentalities of government consist of the prefect, the prefectural council, the provincial administrative *giunta*, and the rectory. A brief inquiry into each must be made.

"The prefect is the highest authority of the state within the province. He is the direct representative of the executive power." Thus does article 19 describe the character of the prefectural office, and the prefect continues, as in the past, to be the appointee of the Ministry of the Interior. He is not only the initiating, coördinating, and directive leader of the province, but is in addition the supervisor of the national government personnel within the province, except for the justice, war, marine, aeronautic, and railroad administrations.³⁹ In these affairs he is assisted by the vice-prefect.⁴⁰

The prefectural council consists of three members: the prefect, who presides, (or the vice-prefect in his place) and two councillors.⁴¹ The powers of the

council are defined by general laws, and ordinarily it advises the prefect before a variety of administrative ordinances issued by him are placed in effect.⁴² As an administrative and appointive body, the council is not normally expected to restrain or check the prefect, in whom the final responsibility is vested.

More interesting is the rôle of the provincial administrative *giunta*, which will be simply described hereafter as the *giunta*. This body has a dual function—first, as an administrative body, and second, as a jurisdictional (quasi-judicial) body. As an administrative organization, it consists normally of nine members: the prefect who presides (or the vice-prefect in his place), the provincial inspector, the two members of the prefectural council, all designated at the beginning of each year by the prefect, the financial head of the province, and four members appointed for four years by the secretary of the National Fascist Party from persons who are experts in judicial, administrative, and technical matters. This party representation requires the approval of the Minister of the Interior and affords a liaison agency to unite the party and the government. All of the foregoing are active members, in addition to whom provision is made for three alternate or deputy members, one designated by the prefect, two designated by the party secretariat.⁴³ The president and rectors of the province and the *podestàs* and members of the communal councils (among others) are not eligible for membership in the *giunta*.⁴⁴

As a jurisdictional body, the *giunta* consists of the prefect, the two members

³⁶Article 90.

³⁷Article 91 lists a variety of particular items under each of these general classifications.

³⁸Article 92.

³⁹Article 19.

⁴⁰Article 21.

⁴¹Article 23.

⁴²Article 24.

⁴³Article 25. The law of June 18, 1925, no. 1094, incorporated the first general Fascist revision of the provincial councils and *giunta*. The law of December 27, 1928, no. 3123, introduced the "party" element into the *giunta* for the first time.

⁴⁴Article 26.

of the prefectural council, and the two senior members of the administrative body appointed by the party. Article 405, which contains these dispositions, modifies the former regulation of 1928.⁴⁵

The administrative functions of the *giunta* consist primarily in the hearing of appeals from the actions of the local *podestàs* and councils and its approval is required for many of the decisions of the provincial rectory.

A provincial rectory⁴⁶ is created in each province to have general jurisdiction over those legislative matters which appertain to the province and which were, until their abolition ten years ago, within the jurisdiction of elective councils. The number of rectors varies with the size of the province: those provinces with populations in excess of six hundred thousand are given eight rectors in addition to the president; provinces of between three hundred thousand and six hundred thousand inhabitants have six rectors; the smaller provinces have but four. Two deputies are appointed in each province. All hold office for four years, subject to re-appointment. Unlike the communal councils, the corporative principle does not apply. All appointments are made by the Minister of the Interior.⁴⁷

The responsible head of the rectory is the president, whose appointment for a term of four years comes from the Crown by royal decree. These appointments may be revoked at any time.⁴⁸ A vice-president is also appointed in the same manner for each province.

Just as the communal council is dependent upon the *podestà* and higher

authorities, so with the rectory. The rectory may be suspended by the prefect, provided that the matter be referred immediately to the Minister of the Interior.⁴⁹ The Minister of the Interior may dissolve the body at any time.⁵⁰ And, as with the case of suspended or dissolved communal councils, the provincial rectory must be reconstituted within one year.

The normal relationship between the prefect and the president and rectory is analogous to the relationship between the *podestà* and the communal council. One important difference is found in the absence of a communal officer comparable to the provincial president. This results from the fact that the *podestà* within the commune is both a national and a local officer, while in the case of the provinces, the prefect is primarily a national officer while the president is primarily a provincial or local officer. The president "represents the administration of the province,"⁵¹ and as such signs the acts of the provincial administration, prepares its annual budget, and directs the administrative officers and public institutions and instrumentalities of the province.⁵² Essentially, he relieves the prefect of the bulk of the administrative routine, but it can hardly be said that he enjoys unlimited authority in this connection.

A precise enumeration of the powers of the rectory appears in article 135. The bulk of the deliberations of the rectory in connection with financial matters are subjected to the approval of the *giunta*.⁵³ A delimitation between the powers of the *giunta* and the rectory is not precisely nor clearly made. The ap-

⁴⁵Article 4 of the law of December 27, 1928, no. 3123, is set aside by this new regulation.

⁴⁶*Rettorato* is the official designation; "Rectory" seems a suitable English equivalent. The first general law on the subject was that of December 27, 1928, no. 2962.

⁴⁷Article 115.

⁴⁸Article 113.

⁴⁹Article 124.

⁵⁰Article 125.

⁵¹Article 133.

⁵²This is a general statement based upon an enumeration of 17 powers contained in article 133.

⁵³Article 149.

parent object of the system of cross-reference is to maintain a unity of policy within the province. Consequently, in spite of this apparent diversity of institutions and the enumeration of special jurisdictions between the *giunta* and the rectory, there is assured responsible supervision over all provincial functions by the prefect and the *giunta*.

THE CONSORZI

Provision for the creation of joint administrations goes much further in Italian practice than in other countries, and this constitutes a highly significant aspect of the local government system. In the case of Italy *consorzi* or "unions"⁵⁴ may be created as between communes, communes and provinces, and provinces. "The communes have the option of uniting themselves in *consorzi* between themselves or with the province to provide for a specified service or work of common interest."⁵⁵ These *consorzi*, which are public corporations, have special constitutions which, in the case of communes within the same province, are contained in a decree of the prefect, issued with the approval of the *giunta*. Where the communes interested appertain to two or more provinces, the constitution is issued by the Minister of the Interior, with the approval of the *giuntas* within the provinces affected.⁵⁶ While these *consorzi* may be purely voluntary, they may also be imposed by law and made obligatory. The constitution, or statute, of each *consorzi* indicates its scope, and specifies the organs which represent it and their attributes.⁵⁷ As between the provinces, the *consorzi* are created by the Minister of the Interior, upon the advice of the ministry primarily affected and of the pro-

vincial *giuntas* within the provinces concerned.⁵⁸ The constitutions and the instrumentalities of the inter-provincial *consorzi* correspond generally to those of inter-communal *consorzi*. The final abolition, of the sub-prefectures by the law of January 2, 1927, created a gap in the administrative system which is filled in part by the corporative facilities created by the *consorzi*.

Each *consorzi* thus created has an assembly (*assemblea consorziale*), a directive council (*consiglio direttivo*) and a president.⁵⁹ The representatives of the various members in the organs of the *consorzi* are nominated for the communes by the *podestà*, for the provinces by the rectory. Such representatives must satisfy the requirements for appointment as a member of a communal council.⁶⁰ The assembly appoints a secretary, whose functions are primarily administrative. However, if the combined units agree, the work of the consorzial secretariat may be performed by the provincial secretary or by other designated officers in the provincial or communal administration. Normally, the *consorzi* function for a period of four years, although the term may be shortened or lengthened in the discretion of the constituent authority.⁶¹ The same authority may alter their constitutions or dissolve them entirely.⁶²

As regards the functions, deliberations, financial control, and governmental supervision of the *consorzi*, they are assimilated to the commune or province. If a province is a member of one of the *consorzi*, the norms which govern its affairs are those which apply to the provinces. Where merely communes participate in the *consorzi*, the norms which govern are those which apply to

⁵⁴Since these *consorzi* are *sui generis*, no effort has been made to find an English equivalent for the term.

⁵⁵Article 156.

⁵⁶Ibid.

⁵⁷Article 158.

⁵⁸Article 169.

⁵⁹Article 159.

⁶⁰Article 161.

⁶¹Article 163.

⁶²Article 166.

the member-commune with the largest population, or, if one of the member-communes is the *capoluogo* of the province, the norms which govern its affairs. Governmental supervision and control are exercised chiefly by the prefect, the *giunta*, and the prefectural council of the province in which the headquarters of the *consorzio* are located.⁶³ General principles having been established in this manner, the law of 1934 is not greatly concerned with the specification of administrative details. A few technical particulars are specified, however, in Articles 160, 167, 168 and 170-172, but an enumeration of them is not essential in this survey.

ROME

Although the special régime for Naples is abolished,⁶⁴ the peculiar and characteristic administration of Rome is retained.⁶⁵ The principles governing communal functions apply to Rome. There may, however, be incorporated within the jurisdiction of the government of the city of Rome, the functions of certain state or provincial administrations or other public bodies which are of particular interest to the city.⁶⁶ The governing instrumentalities of Rome consist of the governor, the vice-governor, and a council of Rome of twelve members. The chief administrative officer is a secretary-general.⁶⁷ The governor, vice-governor, and secretary-general are appointed by royal decree, upon nomination by the Minister of the Interior, after consultation with the council of ministers.⁶⁸ The powers and functions of the governor correspond to those of a *podestà*. The council is appointed by

the Minister of the Interior, in concert with the corporations.

ADMINISTRATIVE PERSONNEL

A statute on local government would be incomplete without an adequate provision for the civil service. This is the prime purpose of chapter V (articles 173-250), which prescribes in some detail the requirements for admission into the service as it affects local government and which provides for a classification of the civil service personnel. Chapter VI (articles 251-265) governs the financial responsibility of administrator and prescribes penal sanctions for malfeasance or delinquency. Chapter VII (articles 266-343) does not affect the civil service as directly as do the two preceding chapters, yet in the precise provisions governing administrative areas, the procedure of deliberations in the communes, *consorzi*, and provinces, and matters of accountancy, there are numerous sections relating to the public personnel.

CONCLUSION

In conclusion, the prevailing tendencies of the law of 1934 may be briefly summarized: (1) The implicit negation of democratic institutions; (2) the increasing emphasis laid upon the authority and control of the administrative bureaucracy; (3) the broadening of the local government base primarily through the *consorzi*; (4) the integration of the Fascist party organization into the local government structure (especially in the constitution of the *giunta*); and (5) the adoption in part of the corporate principle—all of these characterize the Fascist system and distinguish it from the systems prevailing elsewhere. Fascist Italy is, in this respect, a laboratory of political experiment and these significant tendencies, with their subsequent development, will be closely observed abroad.

⁶³Article 165.

⁶⁴Article 415.

⁶⁵Articles 344-402, which constitute chapter VIII of the law.

⁶⁶Article 344.

⁶⁷Article 346.

⁶⁸Article 348.

Local Government in Scandinavia

Public ownership and social services have long been the concern of municipalities in Scandinavian countries

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INTRODUCTORY NOTE:—The local government of the Scandinavian countries would ordinarily include Finland as well as Sweden, Norway, and Denmark. Because of the limitations of space Finland will be excluded from this article, but since Finnish political development was greatly influenced by Swedish forces through centuries of association, what is true of Swedish local government as a rule holds good for Finland as well. Iceland is also politically and culturally Scandinavian, but it is omitted here because it has proceeded along such dissimilar lines as to render generalizations more complex than its importance warrants.

ALL three northern nations are intensely democratic in their traditions, despite the fact that the Scandinavian states are still nominally "ruled" by kings. Other points of similarity in all three countries are: (1) A limited range of natural resources for economic exploitation; (2) a uniformly high standard of living; (3) a habit of rely-

ing upon expert knowledge and competence in administration; (4) an advanced program of public welfare; and (5) a highly satisfactory adjustment of governmental activities to economic resources and social needs. It also happens that most of the local governmental units in the north are at the present time dominated by the Social-Democratic party.¹ The further circumstance that the vast majority of all citizens in these three nations are Lutheran in religion may contribute to the basic uniformity in their habits of thought. Certainly the fact that local government officials in all three countries read and understand the languages used by their colleagues in each of the other nations makes possible the continuous exchange of information and opinion pertaining to local government.

SWEDEN

Local government in Sweden is exercised on three main levels. At the top come the counties and the county departments. Next come the cities, towns, and villages, and on the third level, the parishes, hundreds, and special districts. The legal basis for communal (local) government is in most cases found in general laws, the more important of which were passed in 1919, 1921, 1930, and 1934.

In the earliest times, hundreds of

years ago, the freemen managed local affairs in village meetings and shire-moots. These same agencies, only slightly altered through the passage of the years, exist today in the municipal assemblies, city councils, county councils, and special district and parish meetings. Of

¹Since this paragraph was written, the Social Democratic government of Sweden has given way to the Farmers' party, which, except on the question of defense, is nearly as far to the left as the Social Democrats.

such determinative (or deliberative) organs there are two kinds. The first and older of the two is that which is composed of all the citizens of the area. Like the English parish meeting or the New England town meeting, it is democracy in its pure form, a form not suited to all the demands of modern government, and hence employed only on few occasions and for limited purposes. Of the representative type of determinative organ, the city council (*stadsfullmäktige*) for the cities, and the communal council (*kommunalfullmäktige*) for the smaller communes, are the chief agencies for the determination of public policy. Within the boundaries set by the communal laws, and such other laws as apply to communes, the councils are *sovereign*, subject only to such restraints as will presently be described.

The parish, once the basic unit for governmental purposes, is now hardly more than an administrative area. Its most significant function is that which it exercises in connection with the annual census or registration. Each year, from November 15 to the first day of the following year, every person in Sweden is registered by agents of the Crown in the parish (or parish-district) where he resides. The census list is then fixed for the year, but another list is kept continuously up to date by the parish officers. Since registration is essential to the enjoyment of legal rights and privileges by all residents of Sweden (foreigners included), this work must be done with great care.

Registration does not carry with it the right to vote; only Swedish citizens own this privilege. The suffrage qualifications for local elections are nearly the same as those for national elections. In addition to the qualifications just named (citizenship, registration) a communal elector must have attained the age of twenty-three during the previous calen-

dar year (twenty-one for county council elections) and must not be subject to those disabilities with which students of American elections are familiar.²

The size of the council varies from fifteen to sixty. In Stockholm, which is governed under special laws, there are "one hundred tyrants," a sentimental designation for the councilmen which has solely historical significance. Laws are debated and passed by the councils after they have been ground through a preliminary legislative mill consisting of departmental committees, mixed committees, composed of administrators, councilmen and laymen, and council committees. The smaller the council, the more directly it influences the legislative process. Debate in the larger city councils has a "cushioning" or "exhaust" rather than expert function.

LOCAL ORGANIZATION

The administrative structure of Swedish communes consists of governing boards, administrative boards, and committees; department heads, officials and civil servants; and casual officials, committeemen and other workers.

In the smaller communes the chief agency is the communal administrative board. In all local jurisdictions there are special boards—poor relief, fire protection, health, folk schools, etc. Urban districts are managed by an urban governing board, but in the larger municipalities (cities) the finance chamber (*drätselkammare*) is the executive agency.

Stockholm entrusts its administration to a city executive council composed of eighteen members. All proposals originating with or returned from the administrative departments must be ratified

²A Swedish communal elector takes no literary test, since all persons not otherwise disqualified are literate. There is no longer a property qualification, but no elector may be three years behind in his taxes or owe for any two years (or, in Stockholm, any *one* year).

by this council before they pass to the larger assembly for final action. Its functions are somewhat similar to those of New York's board of estimate and apportionment, although it is obviously organized on an entirely different basis.

Subordinate to the above-named directing or governing boards, there are administrative boards in each department which have some quasi-legislative and even quasi-judicial functions. Actual management is always entrusted to a department head or director, who is, in turn, assisted by bureau chiefs, field engineers, and such other administrative assistants as the work requires.

The most powerful members of the Stockholm executive council are the six "civic councillors" or division directors, each of whom has an administrative division (*rotel*) under his supervision. These councillors are also, at the present time, members of the legislative city council and they are *ex officio*, members of all boards in the departments under their jurisdiction. There is not complete satisfaction with this setup, inasmuch as authority and responsibility are diffused through so many different bodies and persons. However, the civic councillors are all men of considerable ability—two have international reputations—and they are the actual as well as the nominal managers of the local government of Stockholm.

PUBLIC OWNERSHIP

Most of Sweden's public utilities are publicly-owned. In Stockholm the water, gas, and electric works come under the supervision of the councillor of the industrial division; the street railway system is operated by a corporation owned by the municipal government, and it is directly accountable to the city council. The city also participates in the direction of *A/B Stockholm Systemet*, the local liquor monopoly corporation.

All Swedish cities and communes op-

erate on the basis of an annual budget, and in all of them there are annually selected auditors who, with the help of a small permanent staff, continually examine the accounts of all departments and make annual reports. The civil service is classified and permanent, with the exception of higher officials, members of boards, and the like. As a matter of practice, even the latter are, to a large extent, permanent and professional, or semi-professional.

All officials are jointly and severally responsible and accountable, although no criminal action can be taken unless there is loss to the commune or indisputable evidence of impropriety. Appeals from acts of either determinative or executive and administrative officials may be taken to the county governing boards (or the high governor in Stockholm) and eventually to the Supreme Administrative Court.

The smaller towns are called "bailiff-cities"; in these the mayor is the chief administrative officer, as he is also, but with slightly circumscribed powers, in the next larger group, called magistrate cities, where the magistracy consists of the mayor and the two assistant magistrates. In all cases the mayor is entrusted with judicial functions, but in the class of cities just named he is the administrative representative of the Crown, and as such he controls the police and, with his colleagues, supervises municipal expenditures. The mayor of Stockholm, on the other hand, is exclusively a judicial officer³; there, the control over the police, registration, and taxation, and the exercise of the general supervisory powers of the Crown lie with the high governor.

State control over the acts of communal governments consists of three types: (1) direct control, such as rati-

³The Magistracy of Stockholm has one administrative function—elections.

fication of various acts; (2) the right of review, involving the suspension or nullification of acts of local officials, and (3) supervision, including the powers of mandamus, injunctions, and the withholding or withdrawing of state subventions.

No complete survey of Swedish local government is possible here, but one cannot leave the subject without calling attention to the excellence of the system. Elections are uniformly held on the basis of proportional representation, which insures public satisfaction with the representative character of all legislative and quasi-legislative bodies. Traditions of integrity and efficiency in public office guarantee that the men who administer the clear-cut and logically-constructed administrative system sketched above will do their job well, without fear or favor. The control system is particularly effective. It consists of fixed routines, counter-signatures involving joint re-

sponsibility for quantity and quality of supplies and materials, verity of accounts, accuracy of texts of documents, actual deposit of valuable papers, reasonableness of charges, etc.—and double locks on vaults. Two years ago the writer would have praised the auditing system, but recent disclosures of irregularities have demonstrated the need for improvement here. One might also call attention to the need for more adequate bonding of officials entrusted with public funds, and one might suggest that distinct gains would result from the introduction of unit-cost accounting. There are complaints of high taxes and tax inequalities, of low salaries for public servants and of occasional impositions on the public. Nevertheless, the final verdict on Sweden's local government is that it is ingeniously constructed, intelligently directed, and ably administered.

NORWAY

Less is known about the early history of Norwegian local government, but its general forms were probably the same as those of Sweden. Norway subsists on shipping and fishing more than on agriculture and industry, a circumstance that has greatly influenced the political development of the commune. During the period of Danish rule the towns and parishes were governed by magistrates and bailiffs. Communal self-government was not won until 1837, when the present system was inaugurated. Other basic acts were passed in 1845, 1860-89, 1897, and 1921.

The chief areas for local government are the counties, the cities, the parishes, and the "hundreds" (or cantons). As in Sweden, there are also special districts, such as highway districts, ports, and the like. The county governments correspond to the Swedish counties and county departments, but in Norway the

seaports, which are very numerous, constitute a separate class of cities. Cantons occupy a position midway between county and parish, and are chiefly administrative units, in this respect differing markedly from the Swedish "hundreds," which are now solely judicial districts. The state laws governing cities and cantons apply to all sizes of units in each class. Thus, the smallest seaport has the same general type of government as Oslo, the capital.

The councils in all are elected for three years (four in Sweden), and they in turn choose the executive council from among one-fourth of their members. In the cities the executive councils gradually assumed the leading position, becoming a determinative as well as an executive organ, while in the cantons the tendency was just the reverse. This development was legalized in 1921. The chief executive officer is the president, except in

those communes which have adopted the optional provisions for mayors whose duties vary from place to place with the exception that financial control is uniformly entrusted to them.

Norway is not a rich land and it has not been able to carry out as complete a social program as its sister state. There are, however, many private agencies for the care of the unfortunate which supplement state and communal welfare activities.

Control by state-appointed authorities over local government is weakest in Norway of all the northern states, yet even here all positive acts of canton councils require the ratification of the county governor. His veto may be overridden by a two-thirds vote, but failing that, the law is valid unless the minority appeal to the Crown. Certain financial measures, such as new loans, require the approbation of the Crown. A few years ago many of the towns found themselves in severe financial straits, and there was set up a municipal debt office, whose chief acts as mediator between the towns and their

creditors. Through the agency of this office, which combines research with supervisory and arbitral functions, the local finances are being put on a very sound basis. The state power over communities is slowly expanding, to an extent often dependent upon the personality of the officials concerned. As a rule, the county governor merely acts as an agent of the Crown in the cities. But he, too, sometimes stretches his instructions.

The government of the larger cities is somewhat indistinct and blurred. Legislative power is nominally in the hands of the councilmen, several of whom serve on quasi-administrative committees. Oslo has twenty-one executive councilmen who are supposed to oversee the administration of the various departments distributed under them; but the actual management of the city's affairs rests with the mayor and the seven appointed councillors. The civil service is permanent and professional, elections are conducted on the basis of P. R., and, as elsewhere in the north, local government operates without much complaint from the governed.

DENMARK

Of the 1393 communes in Denmark, 88 are municipal: 2 markets, 5 boroughs, 80 towns, and the city of Copenhagen. The total number of communes is reached by adding the 13 town-rural districts and the 1292 parishes. Not included here are the small islands, Greenland, the Faroe Islands—or Iceland, which, as noted above, is a semi-autonomous nation with a distinctive local government. An intermediate unit between parishes and state is the county, at the head of which is the governor, or *Amtmand*, whose duties are nominally to "superintend the working of the law, supervise the subordinate officials, and participate in the local administration."

Historically, local government in Den-

mark traces its origins to the stone age, but again, as in the rest of Scandinavia, the controlling legislation is of recent date, *viz.*, 1857, 1867-8, 1908-19, and 1933. The distinguishing features of Danish local government are, first, the vast range of social welfare legislation which is administered, in whole or in part, by the communes, and, secondly, the extensive control exercised by the state over local authorities. State supervision is effected through the Ministry of the Interior, chiefly, and through the Public Works, Agriculture, Shipping and Fisheries, Trade, and Social Ministries. Certain powers are entrusted to seven other ministries.

Legislative power in the towns is held

by the councils, which vary in size from seven to twenty-five members. The chief executives are the mayors. In the rural parishes there exist, similarly, councils and presidents, the latter—that is the parishes—possessing the usual municipal powers appropriate to their size and needs except with regard to finances and public property, where the county council may veto local action.

Copenhagen, with a population of nearly 800,000, is the metropolis of the north. The natural advantage of its strategic location is great, but foreign tariffs and its own defensive import and exchange restrictions conspire to rob it of much of this advantage. Still, it is large, fairly prosperous, solidly built, and extraordinarily well governed.

General supervision over all local administration is exercised by the over-president, a state official. He has the right of review of local legislative action and certain suspensory and removal powers over civil servants.⁴ The council, or representation of citizens, is the legislative body of Copenhagen. Executive power is lodged with the magistracy, composed of five councilmen and five mayors, or burgomasters. Each of the latter administers a division. The principle ruling the distribution of departments under the five divisions is not very clear, as is the case in most cities. However, the burgomasters are not overburdened with heavy details since each is ably assisted by competent under-secretaries. Besides the departments, there are seventy-four corporations or institutions or other enterprises which are regulated by committees on which the municipality is represented.

The quality of the civil service in Copenhagen, as well as in the rural communes, is very high. Ordinary problems are solved with efficiency and dis-

patch. The most serious difficulties are encountered in the fields of ports and planning. Planning especially is made difficult by the circumstance that Fredriksberg exists as an enclave lying in the heart of Copenhagen with a tax rate of its own, separate courts, separate public utilities, and a separate administration.

SUMMARY

Although there are obvious departures from the general pattern of local governmental structures here and there throughout Scandinavia, especially in the field of administrative organization, the three countries surveyed above have developed systems remarkably alike. All local governmental units are self-governed through the agency of legislative bodies elected according to the principles of proportional representation. In every jurisdiction there are governing boards, which in all larger cities and in many of the smaller ones exercise chiefly directory and advisory functions. Nearly all departments, separate enterprises or units of work are governed by administrative boards, with the actual management of routine left to directors, department heads, and other types of single executives. State control is almost uniformly exercised through the intermediate county officials, and it consists of the power to validate acts relating to financial measures and community property, the power to suspend or annul unconstitutional acts or acts violative of private rights, and the power to withhold state subventions.

Citizens are usually required by law to accept public offices proffered them, but even without such compulsion the public service attracts able men. The only instances of fraud uncovered in the past year have been due to exceptional causes, such as would be impossible to attribute to the system itself. It is, perhaps, characteristic of the northern countries, where public trustworthiness is

⁴In practice, local administrative units work directly with the appropriate national units, with only perfunctory supervision by the over-president.

proverbial, that reliance on integrity is universally buttressed by numerous controls. Charges of political favoritism and political persecution have been made, often without much justification, but with the effect of preventing gross abuses. Since there is no restriction on the holding of dual positions in different levels of government, one might expect to find a certain confusion in motivation. The free press serves as a corrective of abuses which might arise in this system.

Nearly all modern administrative practices which are favored by political scientists are in force in the northern countries. Accounts are faithfully kept and rigorously controlled. Except in a few instances, where there has not yet arisen any serious demand for reorganization, determinative and administrative responsibility is definitely fixed. About the only approved American administrative practice which has not won support in Scandinavia is centralized purchasing, but even in this case informal pooling of purchases has taken place.

The range of communal functions is very wide. Social welfare, housing, beaches, water supply, gas, electricity, tramways, busses—all of these services have been for many years municipal concerns. Today, the exponents of private enterprise fear that there will be no end to the demand for more public ownership. Oslo owns and operates moving-picture theatres, Gothenburg shares in the ownership of a railroad, Copenhagen builds houses for the poor. The march toward municipal socialism seems irresistible. Whether the success of such communally-owned enterprises in Scandinavia, or, indeed, whether the success of local government in itself is due to the governmental structure or to the administrative practices followed are questions which deserve more attention than can be given here. But there is no doubt that the high level of public intelligence among the homogeneous peoples of Scandinavia and their well managed national economy offer exceptionally favorable conditions for effective local public administration.

INTERNATIONAL PLANNING

(Continued from Page 482)

in, or impinge upon, the field of public administration. Six national directories, modeled closely upon the lines of the Public Administration Clearing House's directory of American organizations, have likewise been undertaken in the several countries by members of the Committee, and are in various stages of completion.

The Union and the Institute propose to hold overlapping conferences in Paris in 1937 for the further exploration of inter-organizational coöperation, particularly as concerns the specialist and technical groups, on both the national and international level.

It would seem that a fairly sound

foundation has been laid for the effective coöperation of the various agencies which may contribute to better international clearance of information concerning experience and the results of research. If the peace is kept, it is not unreasonable to hope that the next few years will produce clear indications of the practicability of such coöperation in the present international situation. The work has been planned; it now remains for the plan to be worked.

Correction.—In the table of bonded debt of 283 cities, published in the June REVIEW, we wish to call our readers' attention to the fact that Springfield, Illinois, should have been credited with the lowest per capita tax-supported debt. The city's net figure is only \$9.06, and through the misplacing of a decimal point was incorrectly reported \$90.56. Thus, Springfield is entitled to the same position in the 1936 tabulation as in the 1935 table.

The Proposed New York City Charter

Revised charter will
be submitted to
popular referendum
on November 3

LAURENCE ARNOLD TANZER

*Associate Counsel, New York City Charter
Revision Commission*

REVISION of the charter of the city of New York, long recognized as necessary, was directed by an act of the legislature passed in May 1934 appointing a commission of twenty-eight members, named in the act, to draft a new charter. The membership of that commission was equally balanced as between the two principal political parties, with the addition of individuals committed in advance to specific theories of charter revision. The mixture of politics and of fixed ideas was too much for the commission, and it broke up in a row. The legislature passed another act in August 1934 repealing the former act and providing for the appointment by the mayor of the city of a commission of nine members.

Mayor LaGuardia, after due deliberation, appointed on January 12, 1935, the present commission, with Thomas D. Thacher, former United States district judge and solicitor general, as chairman. The commission, after preliminary public hearings in February 1935, proceeded with the study of the city government and preparation of a new charter. A preliminary draft, accompanied by an explanatory report, was published April 27, 1936. Public hearings were held in all the boroughs of the city in May. Since that time the commission has been devoting itself to the revision and completion of

the draft in the light of discussion and criticism. The completed draft was filed on August 17. It will be submitted to the voters of the city at the general election in November. If adopted by majority of those voting thereon, it will take effect by the election in November 1937 of the first city administration under its provisions, to take office January 1, 1938.

The commission was confronted at the outset by the state of confusion and complication of the law relating to the city. The first charter of Greater New York, adopted in 1897, revised in 1901 and still in effect, combined numerous municipalities into one city, but failed to codify the then existing body of law governing them, repealing only so much thereof as was inconsistent with the provisions of the new charter. Since the consolidation act passed in 1882, there has been no codification of the law of the city. The need of such a codification, to collate, reconcile, and simplify the provisions of the Greater New York charter and of its many amendments, of the consolidation act and other prior unrepealed legislation, of the thousands of general and special acts of the legislature affecting the city, as well as of local laws, ordinances, rules and regulations, was recognized by the commission. An appropriation has been made by the city for this work, which is now

well under way; and an act of the legislature adopted in May 1936 provides for its completion in the form of an administrative code to harmonize with the proposed charter if adopted, or failing its adoption for a complete restatement of the existing law of the city to be submitted to the legislature.

By this provision for an administrative code the commission has been left free to concentrate on its chief task of proposing for adoption by the voters a short and simplified charter, to be in effect a constitution for the city, setting forth the frame of the city government, the distribution of powers among the several agencies of that government, and the fundamental conditions and limitations upon their exercise. There will be reserved for the administrative code matters contained in the present charter and in other state and local laws which the commission did not regard as proper for inclusion in the charter, as well as matters regulated by state law, such as education, civil service, taxation, and judicial procedure.

MANAGER PLAN CONSIDERED

In considering the frame of the city government, the commission started without any preconceived theories, but studied the problem objectively with a view to proposing such changes as seemed necessary and of retaining those features which in practice have proved satisfactory. The only radical change pressed upon the commission, the substitution of the city manager form of government for the modified mayor and council plan now in force, was not considered practical. Its efficacy in the city of New York would, even in the opinion of its proponents, depend largely on the adoption of proportional representation for the election of the council and the statute creating the commission permitted the submission of a proposal for proportional representation only as

a separate question. The commission, while submitting separately the question of electing the council by proportional representation, was therefore compelled to submit a charter which would work even if proportional representation were not adopted. Since under the alternative method of plurality voting now prevailing, the Democratic party, casting 66 per cent of the votes, elects 95 per cent of the board of aldermen, the adoption of the city manager plan without proportional representation would result in the negation of the principle of a nonpartisan business administration which is the life of the plan by subjecting the city government to the complete control of the dominant political party. The charter leaves the way open for the adoption of the city manager plan if desired by the people at some future time, by means of the initiative mentioned below.

The proposed charter retains the elected mayor as the executive head of the city government. It authorizes him to appoint a deputy mayor, to whom he may delegate any of his powers excepting the powers of appointment or removal, of acting on local legislation, or of holding hearings which the mayor is required to hold personally.

The board of estimate and apportionment, a body peculiar to New York, consisting of three city-wide elected officials—the mayor, the comptroller, and the president of the board of aldermen—and of the presidents of the five boroughs, has proved efficient as a body for determining the city's business policies and has earned popular confidence. It is continued, with the same distribution of votes as at present, assuring the three city-wide members a majority over the five borough presidents. It takes over as well the principal functions of the sinking fund commission, at present composed of the mayor, the comptroller, the president of the board of aldermen,

the chamberlain, and the chairman of the finance committee of the board of aldermen.

The board of aldermen, of sixty-five members, has not proved so successful in operation. Its membership, the commission found, is too large and elected from districts too small. It is to be replaced by a much smaller council elected, if proportional representation is adopted, from each borough as a separate district by a quota of seventy-five thousand votes; if not, by senate districts, with provision for additional councilmen at large in the boroughs of the Bronx, Brooklyn, and Queens to redress their under-representation until the present inadequate arrangement of districts is replaced by a reapportionment as required by the state constitution. The council is given greater importance by abolishing the present bicameral system requiring concurrent action of the board of aldermen and the board of estimate on local laws, and establishing the council as the legislative body of the city, with sole power to initiate local laws, and requiring the concurrence of the board of estimate in such local laws only as affect the administration of the city government or amend the charter. The charter makes effective the separation between the legislative functions of the council and the administrative functions of the board of estimate by vesting in the latter some administrative duties now vested in the board of aldermen, such as that of fixing municipal salaries.

BOROUGH AUTONOMY

The problem of borough government, always in the history of the city the most controversial question, has been met by the commission objectively, with a view to proper recognition of the centrifugal as well as of the centripetal forces. Representation of all sections of the city in the central government is

secured by the provisions for borough or district representation in the council, and by continuing the membership and voting power of the elective borough presidents in the board of estimate. Local autonomy is preserved by continuing the existing system of local improvement boards and by retaining the power of the borough presidents over street and sewer improvements paid for by assessment on the property benefited.

On the other hand, the charter, as a measure of economy and efficiency, abolishes the separate engineering offices now maintained in each of the five boroughs for constructing public buildings, and creates a central department of public works to take over not only the construction of bridges now under the department of plant and structures, but also all other public construction excepting subways, docks, parks, water supply, and school buildings entrusted to special authorities, as well as the maintenance of public buildings excepting those charged with a special use like schools, hospitals, prisons, public health stations, police stations, fire houses, and incinerators.

One other function is taken away from the borough presidents. The confusing division of the function of supervising private building and housing, between five borough superintendents of buildings appointed by the borough presidents, a board of buildings composed of those five, a central fire department, a central tenement house department, and a central board of standards and appeals, is to be ended by the creation of a central department of housing and buildings, headed by a commissioner who will appoint a deputy as head of a separate division of housing to enforce the laws relating to the occupation of dwellings, and a superintendent for each borough who will have final authority to pass on building plans in his borough. Appeals from a superinten-

dent will lie not to the commissioner, but only to the board of standards and appeals, which alone will have power to grant permissible variances in the law.

Perhaps the most important provisions of the charter are those relating to city planning. The need of systematic planning for the city has long been recognized. The charter provides for a city planning commission to consist of the chief engineer of the board of estimate and six other members to be appointed by the mayor for overlapping eight-year terms. This non-political commission is to prepare a master plan and report on all projected improvements; but it will be only advisory, power of final decision being in the board of estimate, which, however, can overrule the city planning commission only by three-fourths vote. Correlation of financing for permanent improvements will be secured by a six-year capital program to be adopted by the city planning commission and an annual capital budget to be prepared by it, adopted by the board of estimate and approved by the council. The city planning commission will be the guardian of the city map, and will relieve the board of estimate of the duty of holding hearings on zoning changes.

FISCAL PROVISIONS

The charter contains a number of fiscal and other provisions looking toward simplified and improved procedure in the interest of efficiency and economy, of which limitations of space prevent more than mere mention. The city's fiscal year will run from July 1 to June 30 instead of the calendar year, corresponding to the fiscal years of state and nation, reducing borrowing charges, and throwing the budget period into the spring instead of just before election. The executive budget is retained, to be prepared by the director of the budget under the mayor, adopted by the board of estimate, and approved by the council

as now, with provision for including recurrent expenditures heretofore met by borrowing. Property owners are protected against excessive assessments by requiring the cost of an improvement in excess of 10 per cent over the original estimate to be borne by the borough or the city. A pay-as-you-go system, gradually effective over a period of years, will guard against undue piling up of long term debt for recurrent annual improvements. The auditing function of the elective comptroller is strengthened by enlarging his power of investigation and relieving him of the ministerial functions of collecting and safe-keeping the city's funds, which are transferred to a treasurer appointed by the mayor. The executive direction of tax collections now vested in a seven-membered board of taxes and assessments is vested in a single head, the president of the tax commission, with the assistance, if called upon, of the other members of the tax commission, otherwise charged only with the duty of reviewing tax assessments.

The charter will be a home rule charter. It will be adopted, if at all, by the votes of the people of the city. The matters with which it deals will be subject to amendment or repeal by the city under its home rule powers; matters of state legislation, lying beyond the scope of those powers, are left for the administrative code—there will be no hiatus because all the law of the city not repealed by the charter will continue in force until carried forward into the administrative code. Amendment of the charter itself by local law is provided for in the charter in conformity with the provisions of the city home rule law; the class of amendatory measures requiring a referendum before taking effect will be substantially enlarged. The extent of the local amending power will be greatly widened by including in the charter, subject to local

(Continued on Page 552)



RECENT NEWS REVIEWED

NOTES AND EVENTS

Edited by H. M. Olmsted

Council-Manager Developments. — Cities to hold special elections in the fall on the adoption of the council-manager plan include Harrisonburg, Virginia (7,232 population), September 1; Pomona, California (20,804), November 3, and North Adams, Massachusetts (21,621), November 3. Norton, Va. (3,077), recently elected its first council under a modified town-manager plan which will become effective September 1. Salinas, Calif. (10,263), is reported to have adopted the manager plan by ordinance recently.

City officials in Milledgeville, Ga. (5,534), report that a charter change incorporating the manager plan is being considered. In Owensburg, Kentucky (22,765), adoption of the manager plan is being sponsored by the Chamber of Commerce, and civic groups are being asked to join the campaign. Tulsa, Oklahoma (141,258) is showing much interest in the manager plan according to a recent editorial in the *Tulsa Tribune* in which the excellent record at Oklahoma City where O. M. Mosier is city manager was extolled.

Aberdeen, South Dakota, recently defeated a proposal to adopt the council-manager plan by a vote of 3,704 to 1,907. Chickasha, Oklahoma (14,099) at a special election on July 14 defeated a proposed manager charter by a vote of 2,107 to 1,287.

Roanoke County, Virginia, and Los Angeles County, California, will vote on county manager charters on November 3. A civic organization in Hamilton County, Tennessee, is advocating the adoption of the county manager plan. In Wichita, Kansas, several civic agencies are sponsoring meetings to secure support for the adoption of the county manager plan.

Testimonial for Manager Government.—

Franklin H. Wentworth, managing director of the National Fire Protection Association, at its annual meeting at Atlantic City, had this to say with reference to the problem of attempting to get action on plans for improved fire protection in council manager cities as compared to those with older forms of government: "The city manager may not respond at once to our efforts; he may not agree with our analysis or our conclusions, he may think our project secondary to other projects before him, but we can sit down with him and discuss the matter with a responsible person who can act, instead of wandering about in a foggy atmosphere of irresponsible agencies often without civic knowledge or intelligence and sometimes influenced by unworthy personal or political motives. Our own field experiences have led us to value the council manager form of government and to hope for its rapid extension."

*

Attempt to Restore Ward Government in Detroit.—

For the fourth time since January 1919, when it became effective, the modern charter of the city of Detroit is being attacked by a proposed amendment which, if adopted, would restore the old ward-council type of government. The charter is of the strong mayor and small council type and never has been amended in any vital part since its adoption in 1918.

The present proposal for amendment would take Detroit back to a council of fifteen ward representatives. It has other features which tend to make it vulnerable and apparently it will, like its predecessors, be defeated.

WILLIAM P. LOVETT

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Conference of Mayors Establishes Departments.—The United States Conference of Mayors has announced the establishment

of departments for the following classes of municipal officials: public works officials, municipal finance officers, purchasing agents, and city clerks. The main purpose is to provide effective interchange between cities of experience and information of special interest to these departments of city government.

*

Final Draft of New York City Charter Filed.—On August 17 the New York City Charter Revision Commission filed with the city clerk the final draft of its proposed charter for that city, to be voted upon at the general election of November 3. A full discussion of the provisions of the charter, by Laurence A. Tanzer, associate counsel for the City Charter Revision Commission, will be found on page 535 of this issue.

Proportional representation will be submitted as a separate proposition at the same election. (See also page 547).

*

Cleveland to Have Federal Relations Commissioner.—The city council of Cleveland, Ohio, in view of the many matters that today involve municipal and federal governments jointly, has recently created the office of commissioner of federal relations. Mayor Harold H. Burton has appointed Frank Bubna as commissioner. He will devote full time to handling federal-municipal affairs concerning that city.

*

Conferences of Municipal Officials Planned.—Announcement has recently been made of the following conferences of municipal officials to be held this fall: National Association of Assessing Officers, at Detroit, Michigan, September 23-25; American Society of Municipal Engineers and International Association of Public Works Officials, Toronto, Ontario, September 28, October 1; American Municipal Association, Chicago, Illinois, October 15-17; and International City Managers' Association, Richmond, Virginia, October 19-21.

*

State-Wide Police Training in California.—San Francisco and Oakland police chiefs have set up training units under an intensive state-wide police training program recently initiated in California, according to the *Police Chiefs News Letter*, bulletin of the International Association of Chiefs of Police. This program, under what is officially known

as the California Peace Officers' Institute of Technical Training, is to include both pre-employment and in-service police education. In-service training will be given in each of the large cities. Police in the rest of the state will be organized into fourteen regions. To each of these training units the state department of education will assign a vocational education expert who will assist in developing courses of study selected by police chiefs, and in training teachers. Where requested, the department of education will supply instructors in special subjects, such as ballistics, records, finger-printing, etc.

Pre-entry training courses will be offered in several sections of the state at junior and teachers' colleges. Those at Chico, Fresno, Los Angeles, San Diego, Sacramento, and San Francisco have been recommended. The courses will be modeled closely after the one developed at San Jose State College. Photography, police communication, physical education, criminal law, and gunnery are among the subjects scheduled.

*

Regional Meetings and Training Schools in New York State.—The New York State Conference of Mayors has completed plans for eleven regional meetings of city and village officials to be held this year between September and January, at the following locations and dates: Potsdam, September 10; Glens Falls, September 17; Binghamton, November 9; Hornell, November 10; Buffalo, November 12; Geneva, November 17; Utica, November 18; Troy, November 20; Newburgh, November 24; Mount Vernon, December 1; and Floral Park, December 3.

The conference, at its twenty-seventh annual meeting last June, adopted a resolution for discontinuance of the voluntary training schools for policemen, under the auspices of the Municipal Training Institute of New York State. Since 1928 the Advisory Council on Police Training, representing the Mayors' Conference, the New York State Association of Chiefs of Police, and the Division of State Police, has operated 108 zone training schools for police, which more than twelve thousand city and village policemen have attended. In 1934 the council decided in favor of mandatory instruction, for new policemen only, under state auspices, with municipal representation; but the legislature

has thus far failed to act on this recommendation.

During November a series of regional zone schools will be held in three different sections of the state for water plant operators and superintendents; such schools have previously been held only at Albany.

*

Forty-seven States Have Planning Boards.—All of the forty-eight states except Delaware now have state planning boards or commissions, according to the most recent tabulation made by the American Society of Planning Officials. Louisiana, which on June 30 created a state planning commission through legislative enactment, became the forty-seventh state to provide for some sort of planning agency. In thirty-four states, including Louisiana, state planning commissions exist through statutory authority; in the other thirteen, they are governors' commissions. Pennsylvania recently adopted legislation changing its governor-created planning commission into a statutory body.

In addition to the usual sections relating to research, inventorying of state resources, and coördination of state departmental functions, the Louisiana planning statute provides that the chairman of the commission, who is to be appointed by the governor, is to serve full time as a salaried official. In most of the states, all of the members of the planning commission serve without compensation.

The Pennsylvania act provides that the state planning board, which is to consist of nine members, four of whom must be the heads or executive officers of state departments, shall prepare and keep up to date a ten-year major state improvement program.

According to a recent report of the National Resources Committee, federal planning consultants are now assigned to forty-four state planning boards, the federal government paying the salaries and expenses of these consultants.

*

Approved State Social Security Plans.—

The Social Security Board on August 13 announced its approval of the Louisiana plans for aid to the needy aged and for aid to dependent children. The Kentucky plan for aid to the needy aged was also approved. This brings the number of states eligible to receive federal funds for assistance to the needy aged

to thirty-eight and of those eligible for contributions for the care of dependent children to twenty-two. Hawaii and the District of Columbia, which are also jurisdictions with public-assistance plans, bring the total of states and territories with approved state-federal public-assistance plans to forty.

*

Interstate Commission on Crime Holds Second Annual Meeting.—The Interstate Commission on Crime assembled for its second annual meeting on August 21-25 in Boston to discuss the progress of the model anti-crime bills drafted under the auspices of the commission about eight months ago, and the subject of interstate coöperation against crime in general. The model bills are uniform acts concerning supervision of out-of-state paroles, close pursuit of criminals, compulsory attendance of witnesses from outside the state in criminal cases, and extradition of criminals. So far nine states have adopted one or more of these model bills.

Attorneys-general of six states and an assistant attorney general of the United States presided over sectional meetings. The convention was practically unanimous in condemning the "third degree" and urged a study of this method of obtaining information from criminals.

*

New Federal Library Agency.—A federal library agency in the Office of Education will be established in 1936-37 with a budget of \$25,000 provided in the Department of the Interior appropriation bill signed by President Roosevelt June 23. This is the first time a federal office has been made specifically responsible for fostering a national program of library development.

The new agency will be organized by Dr. John W. Studebaker, commissioner of education, as a library division in the Office of Education. Its staff will consist of a few library specialists in various fields, with the necessary clerical personnel, and will be appointed under civil service regulations.

The proposed functions of the new division have been broadly conceived along lines approved by the American Library Association in its national library plan.

Coördination of public and school library service and other forms of adult education and of research materials on a nation-wide

basis, and the development of library services throughout the country are stressed.

*

Merit System Progress.—In addition to such indications of civil service advancement as the merit system planks in the Democratic and Republican platforms and the action of President Roosevelt in extending the merit system through the post office department (commented on editorially in the August REVIEW), various other signs of progress can be noted.

The merit system has been applied to public welfare departments in three states—Michigan, Indiana, and New Hampshire—which lack formal civil service laws, according to the *Civil Service Assembly News Letter*.

The governor of Michigan authorized the use of civil service procedure in the employment of all state and county emergency relief employees as of July 1. Employees already in the relief service are given qualifying examinations, results of which will be a factor in determining releases when forces must be reduced. The commission for the study of a central personnel system has drafted a civil service law which will be submitted to the next legislature.

When Indiana created its unemployment compensation board the enabling legislation left the way open for civil service procedure in this one department. However, a joint committee has been appointed to study the problem of establishing and maintaining a coordinated personnel system for both the state welfare department and the unemployment compensation division of the treasury department. A personnel plan that will fulfill "a rounded program of continuous service" is recommended for these two agencies by Public Administration Service of Chicago, which sees in the cooperative administration of the personnel of two departments, each of which now operates separately, an opportunity of making much more effective the actual administration of the two agencies which have so many functional similarities.

A joint advisory committee is also recommended which should prove beneficial in advising on policies and procedures, in interpreting personnel policies of the two agencies to the people, and in securing the support and cooperation of other public and private agencies. Under its direction personnel specifications which are to be used in both depart-

ments could be prepared, salary studies including rates of pay in other public and in private agencies within the state could be undertaken, and a plan for the fullest exchange of personnel from one agency to the other could be developed.

In New Hampshire positions of clerk and field representative in the state unemployment compensation division of the Bureau of Labor are now filled by competitive examinations.

Possible extension of civil service procedure to four other states is reported by the National Civil Service Reform League. The State Civil Service League of Washington is circulating petitions to place a civil service bill on the ballot next November. The Virginia legislature recently appropriated \$17,000 for a state-wide public personnel study. The governor of Oklahoma is urging passage of a state civil service law. Connecticut's governor has appointed a survey commission to study departmental reorganization.

A new national organization in the civil service field was formed at a convention in Chicago in June. It is the National Association of Civil Service Employee Organizations, and the first of such organizations which were included, said to represent approximately 22,000 public employees, were the New Jersey Civil Service Association, Civil Service Employees Association of Cleveland, Flint City Employees Club, Wisconsin State Employees Association, and the Municipal Employees Society of Chicago. Membership is limited to organizations whose members are civil service employees in state and local governments that have merit system laws. Headquarters have been established at 1422 Steuben Building, Chicago. The association plans to cooperate with all agencies in the United States interested in the protection and promotion of the merit system in government.

*

New Opportunities in Public Service Training.—The University of Minnesota has announced the establishment of several pre-service fellowships, for the academic year of 1936-37, to encourage outstanding university men and women to enter the public administration service. The first year of training will be spent in residence at the university, with a stipend of \$650 provided. During the second year the student will do work in some governmental department.

In Kalamazoo, Michigan, the city govern-

ment and Kalamazoo College have jointly established a bureau of municipal research, and undergraduate and graduate students majoring in political science are to be assigned to duty in the bureau as part of their college training. The city manager places various practical questions before the bureau for investigation; and this will aid in giving the special students a realistic conception of the problems of cities such as Kalamazoo, with its population of some 57,000.

Another opportunity for training workers in the public service is offered in the increased federal appropriation for vocational training approved recently by Congress. The bill, which increases the annual appropriation for this purpose to \$12,000,000, requiring the states to match funds to 50 per cent of this amount, allows \$4,000,000 for trade and industrial education "including public and other service occupations." Its provisions will become effective in July 1937.

Plans are now going forward in the American Municipal Association to integrate information on training programs of state leagues and other organizations, and to prepare for carrying new projects into effect when the funds become available.

COUNTY AND TOWNSHIP GOVERNMENT

Edited by Paul W. Wager

Missouri—County Audits.—The examiners of the state auditor's office have found discrepancies of \$572,929 in 49 counties in which audits have been completed. Of this amount \$397,961 was due the counties, \$70,402 due the state, and \$104,566 due other units of government.

Stoddard County with township organization and a number of drainage districts in default had a shortage of \$49,032, the largest among the 49 counties. Much of its deficit was due to "compromises" of delinquent taxes, which the state auditor claims were illegal.

In several cases, legal steps have been taken to collect the shortage. In other counties the auditor has notified the officials involved that the deficiencies must be cleared up at once. Careless bookkeeping and misunderstanding regarding the amount of various fees are responsible for most of the irregularities.

The state auditing of county records began more than two years ago after passage of a law making periodic auditing and uniform bookkeeping compulsory. The first audits have necessitated considerable detail for only a few counties had been audited in recent years, and some had never been audited. Also, the form and content of the records varied greatly in different counties, which required additional work even though there were only minor errors in the accounts.

Though the examiners have made splendid progress, it will be impossible for the present staff to audit all counties by the end of the present calendar year, as anticipated. But after the first audits are completed, and uniform accounts are kept, it will be a relatively simple task to audit them periodically as required by law.

WILLIAM L. BRADSHAW

University of Missouri

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Virginia—Henrico County Adopts Merit System.—The flexibility, efficiency, and the generally progressive character of county-manager government was again demonstrated on July 14, when the Henrico County board of supervisors approved unanimously Manager Day's proposal for the merit plan for recruiting county employees. In outlining the plan, the county board declared its general policy to be: (1) the selection of employees upon the "sole basis of the applicant's qualification for the particular work, but that preference will be given to county residents when the qualifications of two or more applicants are equally satisfactory"; (2) security of position, as long as service is satisfactory; and (3) a wage scale based upon character of service performed. As to wages the board correctly condemned "as subversive of efficiency and harmonious coöperation, variations in wage scales allowed arbitrarily or for considerations having no relation to the work performed or the manner of its performance."

Several specific principles to guide the manager in hiring or dismissing employees are set forth. An existing county officer is to be designated as the personnel officer. This officer's duties are: (1) to "investigate the character, experience, and qualifications of all applicants for employment"; (2) to build up a list of eligible persons from which "employees shall be chosen, if possible"; (3) to

classify the service performed by employees and recommend fair rates of pay; (4) to investigate charges against an employee and to recommend to the manager the proper action to be taken; (5) to keep an efficiency record for each employee; and (6) to stimulate in-service training that will tend to improve efficiency and morale of the public service."

Upon the reports of his personnel officer, the manager's duty will be to praise, to warn, to censure, and to send annually to the board of supervisors an efficiency report wherein each county employee is rated as superior (S), good (G), fair (F), and undesirable (U).

JAMES E. PATE

College of William and Mary

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New York—Sheriff's Office Useless Extravagance.—In pursuance of the efforts of the Fusion administration to reorganize the five decrepit and wasteful county governments stepping on one another's feet, Mayor La Guardia asked the department of investigation and accounts to inquire into and report the actual conditions in the offices of those governments. The study of the sheriff's offices in the five counties signed by Commissioner Blanshard and Special Counsel Irving Ben Cooper is stuffed with facts corroborating the statement made by a former sheriff of Kings County that "the office of sheriff as such might well be dispensed with and his functions assumed by some other department."

New York and Kings Counties are the grossest examples of superfluity of job holders and scarcity of work. These counties are twin in their care for official leisure. As there isn't enough for each deputy to do an assistant is given him to help him do it. Take the exhibit of the Manhattan twin. In the nineteen months including 1934 and the first seven of 1935, the average deputy sheriff in the civil division, even with the aid of an assistant, handled less than three papers per month. The assistant deputies, if they work at all, do not need to spend more than five or ten minutes per day at their tasks. Many deputies in the civil division actually handle only about one paper per month upon which real work is required.

For these exhausting labors the deputies

get from \$2,000 to \$3,000 a year. They are exempt from competitive examination. Their appointment is purely political. They may do political work outside. In their offices most of their time is spent "waiting around for something to turn up." The record of each is given. One master workman handled "less than one case per month." In the arrest division activity is equally fervent. The average is eight cases a month for each deputy. One deputy's certificate of merit is "O plus per month." In the clerical and accountants' divisions the pace of business is equally fast. In March 1935, five clerks "handled thirty-six documents per day." Sometimes six clerks have been assigned for work which could be done by two at the most.

The cost of the civil division amounted to \$206,591.12 as compared to total revenues of \$90,097.58. Thus the cost to the city for the maintenance of the civil division amounted to \$2.29 for each dollar received in that year. In the days of the fee sheriff the office not only fattened his pockets but paid for itself. Now continuous deficits are insured by the maintenance of supernumeraries. Local application of the county home rule amendment approved by the people last fall rests with the municipal assembly. How long will it take the board of aldermen to consent to any reform that will cut henchmen from the payroll? This report, to be followed by others on other officials, by the commissioner of accounts may drive into the public mind the folly and waste of overlapping and useless governments and departments swarming with tax-eaters.

New York Times

TAXATION AND FINANCE

Edited by Wade S. Smith

New Jersey Relief Show-down Approaches.—On August 19, after a veritable flood of petitions from officials of the state's larger municipalities, Governor Harold Hoffman announced his willingness to call a special session of the New Jersey state legislature provided "the majority of the legislators indicated they would support a sound relief-financing plan." The announcement constituted the first official indication that the

legislature might be asked to reassume the responsibility it wearily discarded when it adjourned last spring without providing new relief revenues and thus left Jersey localities to carry on without state assistance after April 1.

Since April 1 the only state funds available for aid to the municipalities in financing emergency relief has been some \$6,000,000 already collected on the \$17,000,000 estimated yield of the Dorrance estate. Late in June a special financial assistance commission was established to devise a formula and supervise the allocation of this sum. The formula, not well understood by municipal officials and admittedly nebulous so far as the commission is concerned, is based primarily upon the relief expenditures and the urgency of need for assistance. About \$318,364 was dispensed by the commission during July. In July 1935 relief costs totaled \$1,133,564.

As might be expected, a satisfactory picture of the relief situation is nowhere to be obtained. The commission itself reported, shortly before Governor Hoffman's announcement, that comparatively few of the municipalities had returned applications for a share of the fund. Forms for reporting the municipalities' fiscal condition and application blanks for allocations had been sent to all. Newark, Trenton, Camden, Elizabeth, and similar large industrial communities with extraordinarily high relief costs have apparently been acutely embarrassed, and there is much evidence that such cities cannot carry the relief load at the prevailing scale without recourse to disastrous borrowing programs in some cases.

That the "average" New Jersey community is feeling much of a pinch since assuming the entire cost of relief after state withdrawal seems improbable, however. Where independently secured data exist, the generalization from it is that approximately one-third or more of the New Jersey municipalities have not and will not feel any ill effects, while about half will be able to manage without outside assistance, though deficiency expenditures and subsequent funding will have to be resorted to. Examination of numerous operating statements to July 1 shows that in the above-mentioned ratios: (1) the municipality's budget appropriation, plus state aid for the first three months of the year, has been expended only about 50 per cent to the middle

of the year, leaving an available balance on which expenditures can be maintained on the existing scale for the rest of 1936; or (2) the trend of relief costs has been ahead of the 50 per cent mark at the middle of the year, but average monthly requirements indicate a deficit of from a few hundred to several thousand or more dollars per month for the balance of 1936, the deficiency being well within the municipality's ability to finance. The emergency relief load is, of course, lighter during the summer months, and much of the normal burden is now being carried on WPA projects; should the coming of cold weather and the curtailing of work relief result in the restoration to emergency relief of a case load greater than that of the winter months early in the year, such a development would, of course, increase costs in many instances and tend to disturb the present ability to assume full responsibility. Nevertheless, competent observers are inclined to the view that in not more than a third, perhaps fewer, of the New Jersey municipalities has the withdrawal of state aid imposed a burden on the localities greater than their ability to carry, or is it likely to do so.

The plight of this unfortunate third, however, is apt to be spectacular, judging from present indications. Already vivid reports have been published purporting to show that the common local expedient in the face of relief fund shortages is to "let 'em starve." Many critics are inclined to discount the bulk of these tales, however, both because the complainants have not always come into court with clean hands, so to speak, and because in at least one of the more notorious instances of countenanced distress the situation complained of was an inheritance from the regime under state financing. Particularly in the smaller communities has the effect of returning full responsibility to the locality been beneficial, local officials often exercising administrative discretion in expenditures when the cost must be borne locally, whereas a certain degree of laxity prevailed when state aid could be counted on to offset relief disbursements.

But in the larger cities, with substantial sums involved, state aid on a scale approximately equal to that heretofore prevailing is necessary. Thus Newark, which is reported to have had earmarked for its use \$825,900, has

already issued relief bonds amounting to \$1,400,000, and, officials say, will have to issue another \$1,000,000 if the grant is not raised by the financial assistance commission. Elizabeth, budgeting \$144,000 for the current year in anticipation of state aid, finds the commission's allocation \$70,000 under the total which will be needed. City Manager Paul Morton of Trenton comments that application of the commission's formula seems to penalize municipalities that saved money through economies and low administrative costs. In these and other cities with substantial relief requirements the need for state assistance is undoubtedly acute, though whether of sufficient proportions to result in financial disaster cannot be said.

The chief danger of the present situation seems to lie with those Jersey communities which have just concluded refinancing operations and are now experiencing, or promising to experience, balanced current accounts for the first time since the depression began. Large accumulations of operating deficits have been common in New Jersey, fostered by lax fiscal policy and state laws permitting the piling up of tax borrowings and temporary paper for capital purposes. This large and unwieldy debt burden, together with high tax delinquency, has been in most instances remedied or approached under 1934 legislation permitting extensive and careful funding, and where necessary refunding, operations. Municipalities availing themselves of these opportunities have by and large shown an increasingly favorable trend, but many of them are in a position where any large unexpected outlay will unbalance their finances. However, as was said earlier, there is little indication that the present burden is beyond the ability of even these localities to successfully absorb, and the problem remains essentially one confronting the larger industrial communities of the state.

What assurances of harmonious action Governor Hoffman will deem necessary before issuing a call for the special session cannot easily be foretold. He has indicated that he considers either a re-enactment of the general sales tax, repealed last year, or enactment of an income tax, provision of revenues that would be "sound." Republican leaders in those sections of the state where municipalities are most vociferous are rapidly concurring in the governor's formula, however,

and it seems likely that the special session is not far off.

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Hope for Municipal Bankruptcy Act.—

Only three times in our national history has the United States Supreme Court reversed itself, it is said, but proponents of the recently voided municipal debt readjustment act (Summers-Wilcox act) are now hoping that a recently announced stay to that decision, pending a rehearing in October, may mean that another reversal is imminent. The act was declared unconstitutional by a five to four vote, in a case involving a Cameron County, Texas, drainage and irrigation district.

The court's decision terminated what had been a highly useful expedient for controlling the "minority hold-out" bondholder in otherwise acceptable refunding plans. Effect of the decision was felt chiefly in Florida, where municipal defaults had been rendered doubly chaotic by the presence of so-called bond scalpers. Many of the cities in which readjustment programs had been pushed far toward completion were apparently unaffected by the nullification of the act, but in others, where the situation was not yet approaching clarification, a resumption of the conditions prevalent prior to the law's enactment was threatened or actually experienced. Proceedings all along the line are reported to have been frozen by the announcement of the stay, and Senator Wilcox, sponsor of the act, has announced his intention regardless of the court outcome of offering new legislation for the same purpose if necessary.

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British Body Condemns "Use Value" Base for Realty Taxation.—

The London County Council at its meeting on Tuesday, July 7, adopted the special Report on the Incidence of the Present Rating System which will be submitted by the finance committee with the recommendation in favor of the rating of land values. The report is an illuminating document. It describes how rates are at present levied and in how many respects it is unjust and operates inequitably, how by taxing buildings and improvements the present system handicaps trade and penalizes industry, and how unfair is the burden which falls with the greatest severity upon those least able to bear it. The effect of the present system in exempting undeveloped and underdeveloped land, however valuable it may really be, from

contribution to the rates is illustrated in the difficulties that the London County Council, like all our local authorities, has to contend with in the acquisition of land for public purposes, a difficulty that faces not only the public authorities, but builders and business in obtaining land before they can undertake any enterprises. It is certainly one of the anomalies, if not the abuses, of our day that the price of land is so high and so altogether out of relation to the assessment at which it happens to be rated. The question is constantly asked and with absolute justification—if such and such a price, £1,000 or £10,000 per acre, is the price of the land when it is wanted, why is it not assessed at that figure instead of the pound or two at which it is assessed while the landowner chooses to put it to an inferior use? Over and over again the protest is raised against this injustice which is seen at its worst in the case of vacant land or the "agricultural land" around our towns which is wholly exempt from rates although it can only be bought at a ransom figure.

The finance committee has given some striking instances of the County Council's own experience.

In the case of nine purchases of land for parks the total price was £107,868. The same land had been assessed for rates at an annual value of £988, so that the purchase price was 109 times the rateable value.

In the case of eight purchases of land for cottage housing estates the total price was £932,908. The land had been previously assessed at an annual value of £7,391, making the purchase price 126 times the rateable value.

Even this does not show the whole of the abuse, since very much of that land as "agricultural," whatever its rateable value, was exempted from rates under the agricultural rates acts, and since 1929 such land paid nothing at all.

The report describes the bills that have been introduced in Parliament to remedy this state of affairs and the action that the council has itself taken from time to time. It concludes with an emphatic declaration in favor of the rating of land values. "In our opinion," it says, "site value is preëminently a subject of local taxation as it arises from community causes. It is the measure of the commercial, social, and industrial advantages attaching to a site which arises from the existence of the

community and community services provided out of the public purse. It is a value which has not occasioned any cost of production to the owner, and consequently the rating of site values is in effect a means of securing to the public a value which it has itself created."

Reference is made, which is very important, to the extent to which this principle has been adopted in New Zealand, Australia, Denmark, and other countries. The system is not only practicable, but has worked smoothly. The final recommendation is: (a) That the council is of opinion that the present rating system is inequitable in its incidence, that site value is a subject peculiarly suited to local taxation by reason of its arising from community influences including local expenditure, and that it is accordingly desirable that the present burden of local expenditure should be transferred either wholly or in part from rates to a rate upon site value; (b) That H. M. Government be informed of the opinion expressed in the foregoing resolution (a) and be urged to introduce legislation at an early date to empower local authorities to levy a rate on site value.

The report is signed by Mr. Charles Latham, the chairman of the finance committee. Its adoption will place the great influence of London in the forefront of the municipal agitation for the rating of land values, which in recent years has been supported by no fewer than 230 British local authorities, all in their resolutions demanding this reform in the local rating system. Chief among these authorities is the city of Cardiff which last September called a representative municipal conference and has since circulated all the rating authorities in England and Wales in the matter.

A. W. MADSEN

PROPORTIONAL REPRESENTATION

Edited by George H. Hallett, Jr.

New York Voters Get Complete P. R. Draft.—When the New York City Charter Revision Commission on August 17 filed its final draft of the new charter to be voted on by the city's voters this fall, it included complete self-executing provisions for proportional representation instead of the short statement of principles given in the tentative draft last spring. The use of proportional representa-

tion for the proposed new city council is to be voted on as a separate question. The first charter draft provided that, if the vote were favorable and the charter were also adopted, a new temporary commission should be appointed by the mayor to draw up the necessary P. R. regulations and submit them to the board of aldermen for adoption, with or without changes, but in accordance with the principles stated in the charter. Because of doubts as to the legality of this procedure the final draft sets forth in detail the P. R. system to be used, as do the charters of the American cities now using P. R. The provisions are eminently satisfactory to those most interested in the adoption of P. R. in New York City.

The final draft makes no change in the P. R. principles of the tentative draft, published in this department in May 1936. A few of the more interesting details it adds are the following:

1. P. R. voting machines are permitted if authorized by local law.¹

2. Party emblems are not to be used on the P. R. ballots or machines. Party names and independent designations are permitted, the right to use the name of a recognized party being dependent, as in the tentative draft, on the permission of the appropriate county committee.

3. Any candidate in the borough of Richmond (Staten Island) and any three in any of the other four boroughs may appoint watchers and be represented at every stage of the election and of the count.

4. No candidate is given more than the fixed quota of 75,000 votes, first choices in excess of that number being disregarded and the votes being counted at once for the voters' second choices instead. The total number of first choices for each candidate must be determined and announced by the board of elections after the count is over, however.

5. If a candidate has more than 75,000 first choices, the question of which of them

shall be used as the quota to elect him is determined by the order in which the election districts are handled in the counting. This order is definitely prescribed in such a way that the first and last ballots counted are both sure to be well distributed over the borough. The point of beginning in the order, however, is determined by lot after the voting is completed so that the order will have no effect on the voting itself.

6. All candidates who fail on the first count to receive as many votes as the 2,000 separate signers required for nomination are defeated simultaneously and their votes transferred together to the voters' next choices. Like the similar provision in the charter of Toledo, this should save considerable time without defeating any candidate with a real chance of election.

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P. R. in New York State Conference Program.—The state conference on legislation held at Union College, Schenectady, on July 10 and 11 under the auspices of the New York State Committee of the National Municipal League, with the coöperation of the Schenectady Bureau of Municipal Research and the New York Citizens Union, and reported on page 442 of the NATIONAL MUNICIPAL REVIEW last month, gave P. R. a prominent place in its legislative program and discussions.

Optional P. R. for county boards of supervisors was included by the conference as one of the requisites for a satisfactory bill for alternative forms of county government to carry out the mandate of the recent county home rule amendment, which the conference made the first plank in its legislative program. Under its program for the extension of city home rule the conference also included optional P. R. for all units of local government.

GOVERNMENTAL RESEARCH ASSOCIATION NOTES

Edited by Robert M. Paige

¹A note about the new voting machine that has been developed by the International Business Machines Corporation was included in this department in July. A model of the voting machine and an actual counting machine, with punched cards for demonstration elections, are on display at the office of the New York Citizens Union, 41 Park Row, New York City.

Lake County Taxpayers' Association (Gary, Indiana).—That proposed budgets and tax levies can and have been reduced is substantiated by reference to what has occurred in this respect during the past several years. The advertised budget for Lake County for the year 1934 proposed a tax

rate of 69.6 cents which the county council found possible to reduce to 40 cents. Likewise, the proposed county rate collectible in 1935 was reduced from an advertised rate of 51 cents to 39 cents. The proposed county rate of 55 cents, collectible in 1936, was cut to 44 cents. Translated into terms of dollars and cents, the resultant saving to Lake County taxpayers for the year 1934 was \$1,046,458; for the year 1935, the saving was \$429,724; and for the year 1936, the saving will be \$394,715. In its budget reports for these years, the Lake County Taxpayers' Association suggested rates of 38 cents collectible in 1934, of 38 cents collectible in 1935, and of 41 cents collectible in 1936.

Total general property taxes collectible in Gary for the year 1932 in the amount of \$6,420,057 have been reduced to \$4,063,157 for the year 1936, a decrease of 36.7 per cent. In Hammond the amount of \$3,883,847 for the year 1932 has been reduced to \$2,693,032 for the year 1936, a decrease of 30.7 per cent.

The Association has never attempted to assert that taxes have been reduced in Lake County solely because of its activities. However, the Lake County Taxpayers' Association is the pioneer governmental organization in Lake County, the only one representing taxpayers from all sections of the county, and during the period of its existence has undoubtedly been extremely helpful in presenting data which has made possible substantial decreases in proposed levies. The Association has not only investigated the financial affairs of the county government but likewise has gone into and reported on the proposed budgets and tax levies of many local governmental units such as school cities, civil cities, and libraries. In this latter work it has in some few instances had the coöperation and support of local community and civic organizations. Numerous public officials have expressed their appreciation to the Association for the help it has rendered in analyzing the financial affairs of local governments. The Association has acquired the reputation of approaching local governmental problems with a fair and impartial attitude, and has the confidence of many taxpayers who are familiar with its work. Partisan politics have never entered into its activities and this policy coupled with the accuracy of data submitted has won widespread respect.

The need for unbiased governmental research organizations has been satisfactorily demonstrated in many parts of the county. Sporadic individual appeals and protests are seldom heeded, and only by organized effort can taxpayers hope to hold governmental costs at sane levels. Already there is evidence that in some quarters the idea pervades that the depression is over and that the time is about ripe to put public spending back on the same basis that prevailed a few years ago. Property owners can attest that in so far as real estate income is concerned, many of them are hardly collecting enough to pay present taxes, let alone increased levies.

M. W. MADDEN, *Research Director*

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Detroit Bureau of Governmental Research.—The Bureau has recently distributed a list of the research projects which have been undertaken by the School of Public Affairs of Wayne University in coöperation with the Bureau. The School of Public Affairs is directed by Dr. Lent D. Upson, director of the Detroit Bureau. J. M. Leonard is supervisor of research problems.

The following studies are of general interest: Trends of the Cost of Government in Detroit, Tax Delinquency—An Analysis by Types of Property, Pay-as-you-go for Financing Capital Improvements, The Validity of Long Term Improvement Planning, Future Financing of Capital Improvements, Financial History of Detroit During the Depression, Effect of Homestead Exemption on the Michigan Tax Base, Financing a Fire Department on a Utility Basis, The Trend of Detroit's Population, The Trend of Building in Detroit by Census Tract Areas—1920-35, The Effect of Geographical Location on Governmental Costs, A Digest of Michigan City Manager Charters, Manual of the Government of the City of Detroit, A Manual of the Government of the State of Michigan, State Control of Local Finance, Chart of Business Activity in Detroit, An Index of Rental Values in Detroit, Experiments in the Examination of Detroit Patrolmen, A History of Public Welfare in Detroit to 1929, County Police System, Election Costs, The Problem of County Reorganization in Michigan, A History of the Detroit Edison Company.

The following studies have already been published by the School of Public Affairs and the Bureau: An Analysis of Tax Delin-

quency, *The English System for the Taxation of Real Property on an Income Basis*, *Tax Delinquency in the Second Ward of Detroit with Special Reference to Apartment House Properties*, *Street Address Coding Guide by Census Tracts for Detroit and Environs—1935*.

The Bureau has also issued a list of social science research projects which are under way in the Detroit metropolitan area by such agencies as the department of public welfare, the department of public health, the WPA, and the University of Michigan.

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City Club of Chicago.—The annual meeting of the Club was held on June 24. The city manager committee reported that it had been instrumental in establishing a joint committee of civic agencies interested in the city manager movement and that work is progressing on a city manager bill which will be introduced in the state legislature.

The liquor control committee reported an interesting series of meetings, particularly one at which most of the liquor interests were represented. The committee is now drafting a report which will recommend more effective control of liquor traffic.

The public health committee reported the results of its efforts to arouse greater local interest in the need for water filtration.

The social welfare committee has attempted to keep informed of developments in the field of unemployment relief.

The taxation committee reported the publication in April of a fairly comprehensive report on a tax program for Chicago and Illinois.

Other matters with which the Club has dealt during the year through its committees are public safety, renaming of streets, and the traction situation.

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Governmental Research Association.—At its meeting in November in Providence, Rhode Island, the executive committee of the GRA made a number of changes in the Association's service program. These changes and a constitutional amendment adopted by members at the recommendation of the executive committee reduced the dues of associate members from \$10 to \$5, while maintaining the dues of active members at \$10, and brought to an end the distribution by

the Association as part of its regular service program the three periodicals: the *NATIONAL MUNICIPAL REVIEW*, *Recent Publications on Governmental Problems*, and *Public Administrative Service Monographs*. The response of the membership to these changes, which had the effect of increasing the general revenues of the Association, has been very gratifying. At the close of 1935, 369 persons held membership in the Association. On July 1, 267 of these had renewed their membership, and in addition 51 new members had been secured. The Association has eliminated the deficit inherited from 1935, and according to present calculations will close the year 1936 with a small surplus. A campaign to increase the roster of members by offering a half-year, trial membership at \$2.50 is now in progress.

The annual conference of the Association was held this year on the campus of the University of Michigan during the last week in August. Subjects discussed included property tax problems, relief administration, research bureau problems, and new developments in municipal accounting and fiscal reporting.

The Association has recently issued a revised *Directory of Governmental Research Agencies*. This directory lists local as well as state-wide and national agencies and gives the names of the professional governmental researchers attached to the staffs of these organizations. Copies of the directory are sent without charge to members of the Association.

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Civic Club of Allegheny County (Pittsburgh).—The forty-first annual report of the Club was recently distributed to the membership—including the 550 new members who joined the Club during the past twelve months.

The Civic Club maintains a free public bath house which served thousands of persons last year through its bathing, swimming, laundry, and day nursery facilities.

The Club's committee on public finance and taxation analyzed city and county budgets and presented definite recommendations to the city council and county commissioners.

The public recreation committee reported with satisfaction that the city and board of education continue to coöperate closely in the maintenance of recreational facilities un-

der a working agreement secured by the Civic Club. The salary of the superintendent of recreation is divided between these two public authorities.

The public library committee follows the work of the Pittsburgh Carnegie Library and analyzes its budget closely. This year the committee urged an increase in the salaries of librarians and in the appropriations for new books.

The Club's committee on state affairs reported that the 1935 session of the legislature failed to act upon the following matters in which the Club is definitely interested: city manager and metropolitan plans, revision of the state constitution, consolidation of school districts, reapportionment, elections, housing, and regulation of outdoor advertising. Among the bills approved by the Club which became laws are those providing for mothers' aid, old-age pensions, signature identification for voting, and installment payment of delinquent taxes.

The Civic Club was recently represented at a hearing held in Pittsburgh by the state legislative commission on local government. The Club presented a memorandum outlining state legislation which the Club deems necessary or desirable. The following recommendations are of general interest: making the county the unit for assessment and collection of taxes, reducing the number of elective offices, repealing state legislation, fixing salaries of local officers, permitting cities to adopt the council-manager form of government with proportional representation, consolidating health and welfare administration throughout the state, making the county the unit for welfare administration, establishing the merit system in state and local government, and organizing school districts on geographical areas rather than along the lines of existing political subdivisions.

Other matters which have received the attention of the Club and its committees during the past year are public health and public welfare activities in Pittsburgh, ash collection, anti-noise campaign, city and highway appearance, weed control, zoning, voters' information service, college scholarships for exceptionally able high school students, Christmas lighting, and hobby fair.

Miss H. Marie Dermitt continues to serve as the secretary of the Club.

Des Moines Bureau of Municipal Research.—The taxpayers of the city of Des Moines gained a victory in a recent ruling by the Iowa Supreme Court on the city's so called "miracle budget." This injunction suit was brought by the Des Moines Bureau of Municipal Research, coöperating with the Des Moines Real Estate Board and the Polk County Taxpayers' Association.

The case turned on the fact that the city council, after estimating the collection of \$212,000 in receipts other than taxation to the city general fund in the 1934 August tax budget, under the pressure for boosting salaries raised this, in the following April when the city appropriation was made, to an estimate of \$400,000. The latter estimate was nearly double the amount of actual collections the year before. The Iowa Supreme Court in an unusually vigorous decision ruled that the city council acted illegally in boosting its estimates of receipts other than taxation in the annual appropriation over the amount originally estimated in the August tax budget. The court also suggested that this dereliction would justify removal of the officers involved. It also suggested that a bill be introduced into the next legislature requiring cities to restrict their estimates of receipts, other than taxation, to the actual collection of the previous year. It stated its belief that the city had no right to deliberately incur deficits for operating purposes because there is no provision in the law giving the city authority to issue bonds or levy taxes for such deficits.

As a result of this court decision the new city council this year confined its estimate of receipts other than taxation, to just about actual collections of the previous year which gives a balanced budget.

The state legislature enacted a law in 1935, originating with the Bureau, doing away with the pernicious so called "scavenger tax sale" by which a conniving property owner could "wash out" his back taxes for a nominal sum. This brought in a tremendous amount of back taxes from property owners who feared reversion of their properties to the county as provided in the new law.

During the last year the Bureau made a survey of the insurance carried on county buildings which resulted in a material reduction in some lines. It promoted a vigor-

ous educational campaign relative to the city manager plan. It has been watching the expenditure of the city's share of a large WPA program.

The Bureau now is making a thorough survey of local municipal civil service and soon will report on the subject.

C. A. CROSSER, *Director*

NEW YORK CITY CHARTER

(Continued from Page 538)

action, a number of provisions heretofore enacted by the state legislature, and protected against local change by the restrictive provisions of the city home rule law. In addition, the charter provides for presentation by initiative petition of amendments proposing fundamental changes in the city's government.

The proposed charter represents the result of nearly two years' intensive work by a disinterested commission. Its adoption will provide for the city in the first revision of its charter in thirty-five years, a clear and simple document, substantial improvements in the form of the government, with numerous changes looking to greater efficiency and economy; a much larger measure of control by the people of the city and their elected representatives over their own government, with power in the people to initiate and adopt further changes; and, with the completion of the administrative code to follow, a codification of the law of the city, the first in upwards of fifty years.

STATE-LOCAL FINANCE IN FRANCE

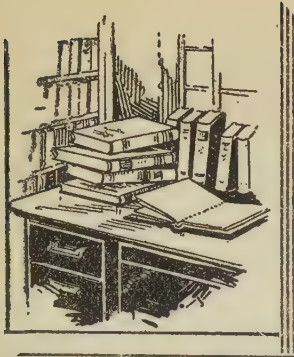
(Continued from Page 510)

Large metropolitan centers like Paris, Lyons, and Marseilles might well be allowed more budgetary autonomy than smaller urban areas; while strict control over local revenue and borrowing, as well as the use of conditional grants-in-aid, could doubtless be restricted to districts largely rural in character.

(7) To a foreign observer, however, a reform still more fundamental in importance would be to establish a modernized division, or bureau, of local government finance in the national treasury, in place of the uncoördinated and politically-minded services now forming a part of the bureaucracy of the Ministry of the Interior. If the secretariats of the Union of Cities and National Association of Mayors were geared in with this agency in an advisory and technical capacity; and if, further, the latter were provided with a technically competent staff divorced from fear of political interference, an invaluable element for the flexible adjustment and ultimate stabilization of central-local financial relationships would be available. Such a setup should include branch offices in the major provincial centers so that technical service and advice could be cheaply and expeditiously furnished to small municipalities.

In the French Republic, the tempo of fiscal reform has always been slow. With the advent of the present "People's Front" government, however, ardently committed as its Minister of Finance is to the cause of thorough-going tax revision and administrative reorganization, there is a fair prospect that some of the foregoing proposals will soon be translated into policy—provided France survives the danger of violent revolution. Sooner or later a series of reforms such as have been suggested in this article will have to be effected if the vote-trading "alliance" of local politicians, deputies, senators, and prefects, operating in the surcharged atmosphere of pressure politics, is ever to be broken.

Note.—The materials for this article, which is a summary of a larger study now under way, were gathered by the writer while in France during the summer of 1935,—with the aid of grants from the Social Science Research Council of New York and the University of Wisconsin research fund.



RECENT BOOKS REVIEWED

EDITED BY GENEVA SEYBOLD

The Rôle of the Bar in Electing the Bench in Chicago. By Edward M. Martin. Chicago, The University of Chicago Press, 1936. 385 pp. \$5.00.

This book is broader in content than its title would indicate. It presents the results of a factual study of the system of electing judges in a metropolitan center, the evils that are inseparable from such a system of selection, the long-continued efforts of an organized bar to play a part in the selection and election of nominees for judicial office and to reduce the ill-consequences of this method of selection to a minimum. After setting out the general elements desirable in any plan of improvement the author brings together in the form of a summary the plans for improvement proposed in the several states. He finally proposes the election of a chief justice for a term of six years at a separate election by a ballot without party columns, emblems, circles, slogans, or other devices; the empowering of the chief justice to appoint, supervise, direct, and assign associate justices, the appointment of associates to be made from a list of eligibles submitted by a commission on judicial nominees selected by the members of the local bar; the associate judges to hold office for an indeterminate term, and to be subject to removal by (a) popular non-competitive vote of the electorate at intervals of six years, (b) action of the State Supreme Court, (c) legislative recall, and (d) compulsory retirement with life annuity at the age of seventy.

The arguments for and against the proposed plan are presented fully and fairly.

The author is undismayed by the comparatively negligible tangible results of two generations of bar association effort to improve

judicial selection in Chicago. He finds parallel conditions in all metropolitan areas in which the elective system of selection prevails. Graphs seem to indicate that where tangible results have followed bar association intervention, conditions had outraged the electorate to such a degree that like results would have ensued without such intervention.

He finds cause for hope in the widening of the movement for reform in the several states, in the unmistakable signs of the solidifying of forces behind the movement, and in the action of California in November 1934 in breaking "from the plan of popular nomination and election in the direction of a guided choice by the executive with periodic approval by the electorate."

The plan proposed by the author effects a compromise between elective and appointive selection. Substituting the appointive for the elective system will not usher in the millennium. Under the appointive system the appointment of judges on the insistence of partisan political organizations against the protest of the organized bar, requiring undated resignations and purchase of the favor of local bosses, is not unknown. It will, however, center responsibility, end the sorry spectacle of candidates for judicial office waging hand-shaking, back-slapping, and baby-kissing contests, and reduce to a minimum the opportunity for play of partisan political pressure.

As the author indicates, existing conditions demand not merely a "broad-gauge, long-time program of action to challenge the existing system of selection in its most fundamental aspects" but, as well, "activity to raise the level of the legal profession as a whole."

This book should find itself in the hands

of every law student—undergraduate and graduate. The road to general thorough-going reform leads out over years ahead. From the ranks of these students of today the future leadership over the road must come.

FRANK H. SOMMER

New York University School of Law

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Legislative Problems. By Robert Luce. New York, Houghton Mifflin Company, 1935. 762 pp. \$6.00.

If there is anyone living who knows more than Robert Luce about legislative problems in the United States, he is hiding his light under a bushel. This volume, which is the fourth in the author's well known series on the "science of legislation," rounds out and completes a task which has filled the place of avocation in his life for twenty years. Every student of political science owes a real obligation to former Congressman Luce for the greater knowledge and understanding of our own institutions his keen observation and analysis have made possible.

This volume covers "the development, status, and trend of the treatment and exercise of lawmaking powers," including such subjects as the separation of powers, the budget, the veto power, judges as legislators, delegation of power, administrative legislation, and restraints on legislatures.

While these and other topics covered may sound to the reader like so much re-treading of old trails, there is no subject upon which the author touches to which he does not make a contribution, even if that contribution be only a point of view born of experience. The chapter on the budget is a good example of this. The author takes sharp issue with the prevailing opinion among political scientists that the budget should be an executive matter. "Is it true that because a man is responsible for executing a project, he should be responsible for designing it?" he asks. In matters of broad public policy, he is inclined to trust the judgment of a president or governor but in respect to administrative detail he ranks the probabilities of wise suggestion among the various groups as follows: (1) administrative officials, (2) legislative committee chairmen, (3) executives, (4) the mass of legislators. This is an interesting and worth while observation, certainly, although

the extent to which it applies in municipal government may be questioned.

In any event, one test of a good book is its capacity to stimulate the mind through its assembling of new facts or fresh points of view on old facts. This, Mr. Luce's final volume does in a scholarly and able manner.

H. P. J.

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Public Finance. By Harley L. Lutz. New York, D. Appleton-Century Co., 1936. Rev. ed. 945 pp. \$4.00.

Professor Lutz's revised text is characterized by the same scholarly research apparent in the earlier editions. The study has been considerably augmented in size. Approximately two hundred new pages have been added and the size of the page has been increased.

Among the changes and additions are new chapters on the control of public expenditures, government ownership, tax systems and tax administration, the effects of taxation, the effects of borrowing, and the principles of financial administration.

Public expenditures are very properly given first and prominent consideration. After preliminary discussion and analysis of expenditures the following principles are laid down with respect to their control:

Each governmental service should be performed in an administrative area reasonably well adapted to its efficient performance. So far as possible, there should be but one local administrative authority over any given area and the people within it. The resources of every governmental unit should be appropriate to its functional responsibilities. Duplicating and overlapping agencies in state and federal organization, respectively, should be eliminated. The responsibility of administrative and financial officers should be direct and inescapable.

Professor Lutz suggests as instruments of debt control: the budget, uniform accounting and auditing, central purchasing, personnel selection and training, reasonable and effective limitation of local debt, and financial reporting. Devices to be avoided are tax rate and aggregate expenditure limitation and salary and wage cuts.

The other major divisions of the study cover commercial and administrative revenues, taxation, public credit and financial administration. Throughout the statistical and other

material relating to recent developments in public finance have been brought down to the latest available point of time.

A study of this magnitude cannot be dealt with adequately in a brief review. It is of outstanding value for the earnest student of public finance.

MABEL L. WALKER

Tax Policy League

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Federal Support for Public Education.

An investigation directed by Paul R. Mort. New York, Bureau of Publications, Teachers College, Columbia University, 1936. 334 pp. \$3.70.

The extension of the equalization principle of education to national application seems logical. If it is to the advantage of individual states to see to it that every child in the state shall have a fair educational opportunity regardless of the poverty or wealth of communities, the United States would derive similar benefits if the education provided by the various states could be more equalized. Population moves about. The boy educated in a poor country school lives in the city tomorrow; poorly prepared in a state which provides meager public education, a man moves to another state where he must compete with those more adequately equipped.

The efficiency principle also may be applied to the nation as well as to the states. This is "the responsibility of the central government for assuming responsibility for public education to provide those devices which will make for the continuous adaptation of the schools to changing needs."

With these two principles in mind, a committee of well known educators headed by Dr. Mort has outlined a plan which it is hoped may be used by Congress in developing a program of federal participation in the financing of education.

The plan calls for the equalization of the support of a national foundation program of education through general federal aid and assistance in modernizing the rural school plants of the nation by means of special federal aid. There would be flat grants, an equalization guarantee, and also a guarantee of further federal aid to states where the amount allotted through the flat grants and equalization guarantees would not equal 20 per cent of the aid which they would receive

if the federal government chose to equalize a foundation program of sufficient extent to be defensible as a national foundation program. A defensible program is one spending the minimum amount the people of a state might be expected to spend if not handicapped by an inadequate financial structure. It is proposed that at the beginning the national foundation program be very low with expansion toward a more adequate program depending upon the rate of educational improvement in the states spending least for education.

The committee calls attention to two problems which need immediate attention—the reorganization of rural schools and the provision of equitable opportunities for minority groups such as the Negroes in the south. A special federal aid plan for rehousing rural schools in efficient centers would eliminate the greatest single difficulty in reorganizing rural schools while the general federal aid program proposed should go a long way toward solving the problem of minority groups.

*

Municipal Accounting Statements. National Committee on Municipal Accounting, 850 E. 58th Street, Chicago, 1936. 156 pp. \$2.00.

An aid toward uniformity in municipal accounting is this book which provides cities with standard patterns tested through use. After a discussion of principles governing the contents, arrangement, and presentation of a municipal financial report, forms for financial statements and statistical tables are given. Methods of describing and analyzing each fund are suggested. Explanations of the accounts used in the statements to be prepared for each fund are given, followed by definition of municipal accounting terminology.

The volume brings together all previous publications of the National Committee on Municipal Accounting except its "Suggested Procedure for a Detailed Municipal Audit" and "A Bibliography of Municipal Accounting."

*

Cash Relief. By Joanna C. Colcord. New York, Russell Sage Foundation, 1936. 263 pp. \$1.50.

In the early days of the depression there was marked aversion on the part of public relief agencies toward giving relief in the form

of cash. A hangover from the English poor law on which the American system of relief was based, is the explanation of Miss Colcord, director of the Charity Organization Department of the Russell Sage Foundation. Relief granted "in kind"—food and clothing—was more humiliating and thus a deterrent factor, it was thought, in the multiplication of those on relief rolls.

A recent study of twenty-four European countries shows only one—Czechoslovakia—still using food orders and there only for the relief of those not protected by unemployment insurance plans. In other European countries cash relief is the rule except for those under institutional care.

In the United States as depression conditions compressed into a brief period a tremendous amount of experience in relief administration, the use of cash relief became widespread among emergency relief administrations. Miss Colcord records the experience with cash relief in nine large cities—Baltimore, Cleveland, Denver, Detroit, Los Angeles, New York, Philadelphia, Pittsburgh, and San Francisco—with the general conclusion that cash relief is of benefit to all concerned. Prophecies that recipients would mispend the money, that the burden of relief would be increased through addition of large numbers who would be more willing to accept cash than commodities, and that there would be an increase in refusals to work have not been substantiated. On the other hand

relief workers report an increased feeling of respect and responsibility as the result of the cash basis of payment. While data have not been compiled in sufficient quantity to establish this as a general fact, the author is convinced personally that the expenses of operation can be reduced by the introduction of cash relief.

*

State Commission Jurisdiction and Regulation of Electric Rates and Service. Federal Power Commission Electric Rate Survey. Rate Series No. 6. 11 pp. Ten cents. Apply to Superintendent of Documents, Washington, D. C.

This report makes clear the extent to which the public service commissions of the various states exercise authority over electric rates, as of October, 1935, of both publicly and privately owned electric utilities.

*

Proceedings of the Attorney General's Conference on Crime. Washington, D. C., 1936. 578 pp. Apply to the Attorney General.

The Conference on Crime held in Washington in December of 1934 brought together the nation's authorities on the crime problem. These proceedings preserve their addresses and discussions for reference and also the resolutions which represent their conclusions regarding the best steps next to be taken in the war against crime.

Forty-second
Annual Conference on Government
Hotel Commodore Perry, Toledo, Ohio
Monday and Tuesday, November 16 and 17
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Education of Citizenship
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